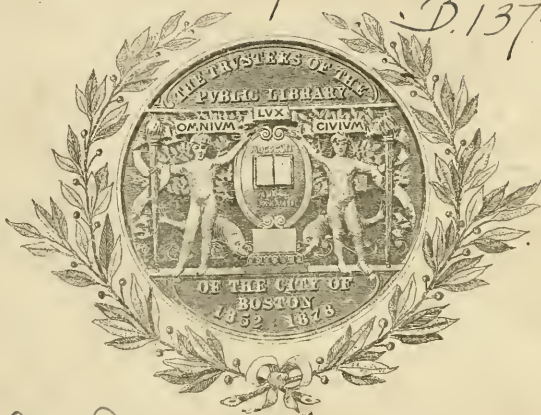




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U. S. DEPARTMENT OF LABOR

JAMES J. DAVIS, Secretary

CHILDREN'S BUREAU

GRACE ABBOTT, Chief

# LAWS RELATING TO INTERSTATE PLACEMENT OF DEPENDENT CHILDREN

2

Bureau Publication No. 139



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## LETTER OF TRANSMITTAL.

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UNITED STATES DEPARTMENT OF LABOR,

CHILDREN'S BUREAU,

*Washington, May 1, 1924.*

SIR: There is transmitted herewith a report entitled "Laws Relating to Interstate Placement of Dependent Children," which was prepared at the request of a conference of State officials of Pennsylvania, New York, Ohio, West Virginia, and Delaware who are responsible for the care of dependent children in their respective States.

The texts of these laws and the chart were compiled by Lulu L. Eckman, of the bureau staff, and the analysis of legislation was made by Emelyn Foster Peck. Legislation of 1924 is included so far as it was available at the time of going to press.

Realization of the need of legislation on this subject is of recent development and not yet general. The first law regulating the "importation" of dependent children was enacted in Michigan in 1887, and in 1899 Indiana, Illinois, and Minnesota passed laws that were for many years regarded as models for legislation on this subject.

Although 20 of the 48 States still provide no legal regulation with reference to the placement of dependent children from other States, interest in the subject has greatly increased during the last decade. It is believed, therefore, that this analysis of existing laws is timely.

Respectfully submitted.

GRACE ABBOTT, *Chief.*

HON. JAMES J. DAVIS,

*Secretary of Labor.*

# LETTERS TO THE EDITOR

THE EDITOR, THE LANCET, 11, BEDFORD SQUARE, LONDON, W.C.1

SIR,

I have the pleasure to inform you that

the manuscript of your paper, "The Effect of the New Type of ...", has been received and is being read by the Editor.

I am sure that your paper will be of great interest to the readers of the LANCET.

I am, Sir, very truly yours,

Yours faithfully,

THE EDITOR, THE LANCET

11, BEDFORD SQUARE, LONDON, W.C.1

1955

# LAWS RELATING TO INTERSTATE PLACEMENT OF DEPENDENT CHILDREN.

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## SUMMARY OF STATE "IMPORTATION AND EXPORTATION LAWS."

By EMELYN FOSTER PECK.

### RECOGNITION OF THE PROBLEM.

Throughout the United States a large body of State laws has developed in regulation of the placing of homeless children in family homes. Most of these laws apply only to children placed within the bounds of their own States. Laws restricting and regulating the passage of children for this purpose from one State to another have been of slower growth.

Early State conditions, especially in the West, were not such as to make the "importation" and "exportation" of dependent children seem a pressing problem. Later, as conditions have changed and cities with the aim of salvage have sent what threatened to be the social waste of their congestion into rural communities of neighboring or distant States, public consciousness has become more alert to the financial and social risks involved. Moreover, as public feeling of responsibility for the protection of childhood has developed, recognition is growing of the helpless situation of dependent children who are sent from one State to another.

The statutes of 28 States now<sup>1</sup> include measures regulating the importation of children for placing in family homes, and 4 States have legal provision regulating the sending of children out of the State for this purpose.

In 1887 Michigan included these children in a law regulating the apprenticing, binding, or other disposition of children and in 1895 required that any person, society, or asylum placing children from another State file a bond with the probate judge of the county for each child so brought.<sup>2</sup> In 1899 Indiana, Illinois, and Minnesota enacted measures that appear to have been models for much of the later legislation on the subject.<sup>3</sup> The Minnesota law was later repealed.

Within the period 1901-1904 Kansas, Missouri, Kentucky, Iowa, North and South Dakota, and Ohio passed similar legislation. New Jersey followed in 1907, Maryland in 1908, Nevada in 1909, and

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<sup>1</sup> May 1, 1924.

<sup>2</sup> *Michigan*: 1887, No. 192, p. 208; 1895, No. 33, p. 120.

<sup>3</sup> *Indiana*: 1899, ch. 29, p. 41; *Illinois*: 1899, sec. 16, p. 136; *Minnesota*: 1899, ch. 138.

Nebraska and Michigan—the latter adding more extended provision to the earlier one for bonding—in 1913.<sup>4</sup>

From 1915 through 1923—a period of great activity in child-welfare legislation—13 States enacted laws on this subject. These were Wyoming, West Virginia, Delaware, Pennsylvania, Tennessee, Minnesota, Oregon, Vermont, Virginia, Georgia, Alabama, New York and Utah.<sup>5</sup> South Carolina passed a law on this subject in 1924. The Minnesota and Virginia acts are notable for constructive development, and the Georgia and Alabama acts follow those of Minnesota and Virginia, respectively.

### MAIN FEATURES OF THE IMPORTATION LAWS.

The principal points covered in the laws now in force with regard to the importation of dependent children from other States are the following: (1) Agency responsible for enforcement; (2) application of the law to organizations or individuals sending the children or to individuals receiving them, with exceptions noted; (3) requirement of enforcing agency's consent to the bringing in of any dependent child from another State or approval of the home in which he is to be placed; (4) bond or other guaranty required of the organization or individual sending or bringing the child, or of both; (5) conditions of the bond, with respect to (a) the exclusion of certain types of children, (b) the notification of the State enforcing agency when a child from another State has been or is to be placed, (c) the assurance of proper home conditions, (d) the requirement of supervision and reports after children are placed, (e) the observance of rules and regulations of the enforcing agency, and (f) the removal of the child if he becomes a public charge or a social menace; (6) penalties for disregarding the provisions of the acts. These features of the State laws will be considered in the following sections.

#### Enforcing agency.

Among the 28 States having laws regulating the importation of dependent children the authority charged with enforcement is usually the board or department which stands at the head of the State system of public relief—the State board of charities, department of

<sup>4</sup> *Kansas*: 1901, ch. 106, sec. 15; *Missouri*: 1901, p. 132; *Kentucky*: 1902, ch. 119; *Iowa*: 1902, ch. 133, sec. 13; *North Dakota*: 1903, ch. 79, sec. 1 (amended by 1911, ch. 80); *South Dakota*: 1903, ch. 89 (amended by 1907, ch. 298, sec. 11 and by 1915, ch. 119, sec. 21); *Ohio*: 1904, sec. 16, p. 567 (repealed and reenacted by 1908, sec. 36, p. 201 and by 1913, p. 877); *New Jersey*: 1907, ch. 153 (amended by 1918, ch. 147, secs. 646 and 647 and by 1922, ch. 95, secs. 648-650); *Maryland*: 1908, ch. 42, p. 92; *Nevada*: 1909, ch. 180, sec. 20, p. 229; *Nebraska*: 1913, ch. 197, secs. 4 and 7, p. 577 (amended by 1919, ch. 190, secs. 5834-5837, p. 790); *Michigan*: 1913, ch. 300, sec. 1.

<sup>5</sup> *Wyoming*: 1915, ch. 99, sec. 5; *West Virginia*: 1915, ch. 70, sec. 21 (amended by 1919, ch. 110, sec. 1 and by 1921, ch. 134, sec. 14); *Delaware*: 1917, ch. 185 (amended by 1921, ch. 50); *Pennsylvania*: 1917, No. 287, p. 769, secs. 1-5; *Tennessee*: 1917, ch. 120, sec. 6, subsec. 5; *Minnesota*: 1919, extra session, ch. 51, secs. 5 and 9; *Oregon*: 1919, No. 405, sec. 7, subsec. 5; *Vermont*: 1919, No. 208, sec. 1; *Virginia*: 1922, ch. 103, secs. 7, 8, and 10; *Georgia*: 1922, No. 521, secs. 9 and 11; *Alabama*: 1923, No. 543, secs. 6, 7, 10, p. 723; *New York*: 1923, ch. 706, adding sec. 306 to the State Charities Law; *Utah*: 1923, ch. 59.

<sup>6</sup> *South Carolina*: 1924, No. 728, secs. 5, 8, 8½.



public welfare, or similar body. The exceptions are Oregon, West Virginia, Nevada, Kentucky, South Dakota, Alabama, and Utah.

In Oregon the State child-welfare commission, in West Virginia the State board of children's guardians, and in Alabama the State child-welfare department<sup>7</sup> are the responsible public agencies. Nevada and Utah, which have no State board of charities or similar body, place responsibility for enforcing the law upon the attorney general of the State and the State board of health, respectively.<sup>8</sup> In Kentucky responsibility is divided between the Kentucky Children's Home Society (a private organization) and the county judge of the county where the child is placed. The person or organization sending the child into the State must notify the children's home society and thereafter report to that society; and the society is to notify such person or organization if the child becomes a public charge. The bond must be furnished to the county judge and must be acceptable to him.<sup>9</sup>

The South Dakota law provides for the filing of a bond with the treasurer of the county into which the child comes, approval of one freeholder and of the board of county commissioners being required before the bond is valid. It is added that, in case any person has in his care a child brought into the State for whom no bond has been filed, that person is required by the law to notify the State board of charities and corrections. The State board is to notify the county court of the county where the child is living, which court thereafter is to be responsible "for the protection and benefit of such child and the people of the State."<sup>10</sup>

Generally speaking, the enforcing agency most fitting and most promising for effective action is the State board or department, wherever a strong central board or department has been established.

#### Application of the law.

In 15 of the 28 State laws it is specified that the provisions are to apply to organizations sending children into the State,<sup>11</sup> in 13 that they are to apply to persons, or to organizations or persons, so doing.<sup>12</sup> In one case, Vermont, the approach is from a different angle: The home into which the child goes must obtain permission from the enforcing authority to receive the child and must furnish bond or other guaranty to that body.<sup>13</sup>

<sup>7</sup> Oregon: Laws (Olson), 1920, sec. 9835; West Virginia: 1921, ch. 134, sec. 14; Alabama: 1923, No. 543, sec. 6.

<sup>8</sup> Nevada: Revised Laws, 1912, sec. 747; Utah: 1923, ch. 59, sec. 4.

<sup>9</sup> Kentucky: Carroll's Statutes 1922, sec. 331c-1.

<sup>10</sup> South Dakota: Rev. Code, 1919, sec. 9992.

<sup>11</sup> Laws of Alabama, Illinois, Iowa, Kansas, Missouri, Nebraska, Nevada, North Dakota, Ohio, Oregon, South Dakota, Tennessee, Virginia, West Virginia, Wyoming.

<sup>12</sup> Laws of Delaware, Georgia, Indiana, Kentucky, Maryland, Michigan, Minnesota, New Jersey, New York, North Dakota, Pennsylvania, South Carolina, Utah.

<sup>13</sup> Vermont: 1919, No. 208, sec. 1.

Certain of the enactments allow exception in their application. The Indiana act exempts from regulation a relative bringing in a child for the purpose of giving him a home in his own or any other family.<sup>14</sup> Maryland allows a like exemption.<sup>15</sup> New Jersey exempts a relative bringing in a child for placing in his own or another home only if the State enforcing agency has given its consent.<sup>16</sup> Kentucky and South Dakota provide that a resident may bring into the State for care in his own home, a child who is a relative.<sup>17</sup> The Pennsylvania law<sup>18</sup> exempts a relative bringing a child into the State to give him a home in his own family and further exempts the placing of a child in any institution in the State, providing that the child is not removed therefrom and placed out except in accordance with the provisions of the act. The Maryland law also does not apply to the placing of children in institutions. The Iowa act is not to be construed as prohibiting an Iowa resident from receiving and adopting into his family any child from another State.<sup>19</sup> The Minnesota and Utah laws contain provisos to the effect that nothing therein shall be deemed to prohibit a resident from bringing a child into the State for adoption into his own family. In North Dakota the law does not apply to a resident of the State who personally brings a child into the State for permanent care or adoption into his own family, except that he must report to the board of administration his name and address, the name of the child, and the name and address of the person or agency from which the child was received. The South Carolina law does not apply to persons related to such children by blood or marriage within the sixth degree. By an amendment passed in 1924 New York exempts "an authorized agency" from the application of the act.

However, in 17 of the 28 acts no exceptions as to application are noted; and in 4, exception is made only in the case of a relative bringing a child into the State for the purpose of giving him a home. A large majority, therefore, recognize that for all children brought from outside to live among strangers the State should assume a certain measure of responsibility.

#### Consent or license required.

Ten <sup>20</sup> of the 28 States require the written consent or formal license of the enforcing agency, along with the bond or guaranty before a person or organization from another State may bring a child in for placing—a requirement which implies power to deny right of entry. Virginia, Alabama, and Utah require consent but not

<sup>14</sup> *Indiana*: Burns' Annotated Statutes, 1914, sec. 3674.

<sup>15</sup> *Maryland*: Annotated Code, 1911, vol. 2, art. 88A, sec. 14.

<sup>16</sup> *New Jersey*: 1918, ch. 147, sec. 649.

<sup>17</sup> *Kentucky*: Carroll's Statutes, 1922, sec. 331c-4; *South Dakota*: Revised Code, 1919, sec. 9992.

<sup>18</sup> *Pennsylvania*: Statutes, 1920, sec. 13480.

<sup>19</sup> *Iowa*: Code Supplement, 1913, sec. 3260-L.

<sup>20</sup> Delaware, Indiana, Maryland, Michigan, Minnesota, New Jersey, New York, North Dakota, Pennsylvania, Vermont.

bond. The laws of other States omit the requirement of consent, simply requiring that no child shall be brought in unless bond or guaranty shall have been furnished.

A significant clause in the New Jersey law specifies that the request for license must be accompanied by a certificate or other evidence showing that the applicant is approved by the State board or similar body of the State from which the child is brought, and the New York law requires evidence that the applicant holds a license or is approved by the State board of charities or similar body in the State in which he resides or has his principal place of business.<sup>21</sup>

Minnesota in 1919, Virginia and Georgia in 1922, Alabama in 1923, and South Carolina in 1924, took a notable step in the matter of consent on the part of the enforcing agency. Before any child is brought into the State for placing, the enforcing agency must be notified of the name and address of the person with whom he is to be placed and must give approval of the home as a suitable one for the child.<sup>22</sup>

#### Bond or other guaranty.

Thirteen States require bonds of specified amounts ranging from \$10,000 in Indiana, Kentucky, and Maryland to \$500 in South Dakota. In Indiana, Maryland, and New York, these must be approved by the State enforcing agency—the State board—and are blanket bonds covering children placed throughout the State.<sup>23</sup> The bond required in Kentucky covers only the children placed in a given county and must be acceptable to the judge of the county court.<sup>24</sup> Delaware requires a blanket bond of \$3,000, approved by the State authority and covering the State, to be furnished by the person or agency placing the child or by the individual with whom the child is placed, or both, as the State authority may require.<sup>25</sup> Minnesota, New Jersey, and Pennsylvania<sup>26</sup> require bonds of \$1,000, acceptable to the State enforcing agency and covering the State. Iowa requires the \$1,000 bond and such other guaranty as the State board of control may require.<sup>27</sup> The Michigan bond of \$1,000 is filed with the county judge and covers children placed within the given county only.<sup>28</sup> Georgia requires a \$1,000 bond for each child brought into the State.<sup>29</sup> In North Dakota the bond of \$1,000 must

<sup>21</sup> *New Jersey*: 1918, ch. 147, sec. 648; *New York*: State Charities Law, sec. 306, as amended 1924, ch. 437.

<sup>22</sup> *Minnesota*: 1919, extra session, ch. 51, sec. 5; *Virginia*: 1922, ch. 103, sec. 7; *Georgia*: 1922, No. 521, sec. 9; *Alabama*: 1923, No. 543, sec. 6; *South Carolina*: 1924, No. 728, sec. 5.

<sup>23</sup> *Indiana*: Burns' Annotated Statutes, 1914, sec. 3671; *Maryland*: Annotated Code, 1911, vol. 2, art. 88A, sec. 12; *New York*: State Charities Law, sec. 306, as amended 1924, ch. 437.

<sup>24</sup> *Kentucky*: Carroll's Statutes, 1922, sec. 331c-1.

<sup>25</sup> *Delaware*: 1921, ch. 50, adding 1005E, sec. 3E to Revised Code.

<sup>26</sup> *Minnesota*: 1919, extra session, ch. 51, sec. 5; *New Jersey*: 1918, ch. 147, sec. 647, as amended 1922, ch. 95; *Pennsylvania*: Statutes 1920, sec. 13477.

<sup>27</sup> *Iowa*: Code Supplement, 1913, sec. 3260-L.

<sup>28</sup> *Michigan*: Compiled Laws, 1915, sec. 7231.

<sup>29</sup> *Georgia*: 1922, No. 521, sec. 9.



be approved by the attorney general of the State and filed with the State board of administration.<sup>30</sup> The \$500 bond of South Dakota is made out to the county treasurer after approval by the board of county commissioners and signature by at least one freeholder of the State, and covers children placed within the one county only.<sup>30</sup> Virginia and Alabama no bond is required, but the agency bringing the child into the State must enter into a written agreement with the State enforcing agency to conform to the provisions of the act.

In all the other States except Utah and South Carolina, where no bond or guaranty is required, the enforcing agency is to be furnished with such guaranty as it may require.<sup>31</sup>

It should be noted that under the recent Minnesota, Virginia, and Alabama legislation,<sup>32</sup> while Virginia and Alabama require no bond and Minnesota provides for a moderate one only—\$1,000 covering the State—the State nevertheless keeps a close grip on the situation. The enforcing agency may at any time cut short the activities of an individual or person or agency disregarding provisions of the law, since no child can be admitted without the consent of that authority.

#### Conditions of the bond.

*Certain children to be excluded.*—The first condition of the bond usually is that certain types of children shall not be brought into the State. Most of the enactments on this subject exclude children who are mentally unsound or dangerously subnormal, or so imperfectly physically as to be a social menace or unable to achieve self-support. Georgia, Indiana, Minnesota, New Jersey, Pennsylvania, and South Carolina debar any child who is incorrigible or of unsound mind or body.<sup>33</sup> In Delaware, Kentucky, and North Dakota, these classes are excluded and also, in Delaware those who are mentally subnormal; in Kentucky, those who have contagious or incurable diseases; and in North Dakota, those who are likely to become public charges.<sup>33a</sup> Laws of other States<sup>34</sup> forbid the entrance of children who have contagious or incurable disease, or who are deformed, feeble-minded, or of vicious character.

The Virginia and Alabama laws, which though requiring no bond protect the State against undesirable importation by requiring con-

<sup>30</sup> *North Dakota*: 1923, ch. 159, sec. 1; *South Dakota*: Revised Code, 1919, sec. 9992.

<sup>31</sup> *Illinois*, *Kansas*, *Missouri*, *Nebraska*, *Nevada*, *Ohio*, *Oregon*, *Tennessee*, *Vermont*, *West Virginia*, *Wyoming*.

<sup>32</sup> *Minnesota*: 1919, extra session, ch. 51, sec. 5; *Virginia*: 1922, ch. 103, sec. 7; *Alabama*: 1923, No. 54, sec. 6.

<sup>33</sup> *Georgia*: 1922, No. 521, sec. 9; *Indiana*: Burns' Annotated Statutes, 1914, sec. 3671; *Minnesota*: 1919, extra session, ch. 51, sec. 5; *New Jersey*: 1918, ch. 147, sec. 647, as amended 1922, ch. 95; *Pennsylvania*: Statutes, 1920, sec. 13477; *South Carolina*: 1924, No. 728, sec. 5.

<sup>33a</sup> *Delaware*: 1921, ch. 50, adding 1005 E, sec. 3E to Revised Code; *Kentucky*: Carroll's Statutes, 1922, sec. 331 c-1; *North Dakota*: 1923, ch. 159, sec. 1.

<sup>34</sup> *Illinois*, *Iowa*, *Kansas*, *Missouri*, *Nebraska*, *Nevada*, *Ohio*, *Oregon*, *South Dakota*, *Tennessee*, *Vermont*, *West Virginia*, and *Wyoming*.



ent from the State board for each child admitted, also require that the importing agency shall enter into a written agreement with the board to remove any such child from the State whenever the board requests the removal.<sup>35</sup> The Maryland law on this point is curiously worded. No "actual pauper, vagrant, criminal, incorrigible, insane, or helplessly crippled or diseased child" is to be brought in without the written consent of the Maryland Board of State Aid and Charities, and a \$10,000 blanket bond is required against public dependency.<sup>36</sup>

*Notification.*—Certain State laws provide that the person or agency placing children from outside the State must notify the State enforcing agency, either before or at the time of sending. Indiana provides that the enforcing agency—the State board—is to be notified immediately upon the placing and given the name and age of the child and the address of the person with whom he is placed.<sup>37</sup> Maryland, New Jersey, and Pennsylvania have the same provision.<sup>38</sup> In New York<sup>38a</sup> the initial report to the board must include, in addition, the name of the State, and the city, town, borough, or village or the name of the country from which the child came, the religious faith of the parents and of the child, the full name and last residence of the parent or parents, and the name of the custodian from whom the child was taken. The agency must also report the death of the child or any reboarding, replacement, or other disposition. In North Dakota,<sup>38b</sup> on the other hand, the law requires simply a report to the board of administration without specifying what the report shall contain. In Michigan the county agent must be notified,<sup>39</sup> in Kentucky, the State superintendent of the Kentucky Children's Home Society.<sup>40</sup>

Minnesota, Virginia, Georgia, Alabama, and South Carolina<sup>41</sup> provide that the State board shall be notified before the child is placed. If it decides that the child is to be admitted, it shall grant a certificate stating that in its opinion the proposed home is a suitable one for the child. Minnesota, Georgia, and South Carolina, going into more detail and one step further in their provision for safeguard, require that the notification or the certificate shall give the name and age and a personal description of the child, the name and address of

<sup>35</sup> *Virginia*: 1922, ch. 103, sec. 8; *Alabama*: 1923, No. 543, sec. 6.

<sup>36</sup> *Maryland*: Annotated Code, 1911, vol. 2, art. 88A, sec. 12.

<sup>37</sup> *Indiana*: Burns' Annotated Statutes, 1914, sec. 3671.

<sup>38</sup> *Maryland*: Annotated Code, 1911, vol. 2, art. 88A, sec. 12; *New Jersey*: 1918, ch. 147, sec. 647, as amended 1922, ch. 95; *Pennsylvania*: Statutes, 1920, sec. 13477.

<sup>38a</sup> *New York*: State Charities Law, sec. 306, as amended 1924, ch. 437; 1923, ch. 706.

<sup>38b</sup> *North Dakota*: 1923, ch. 159, sec. 1.

<sup>39</sup> *Michigan*: Compiled Laws, 1915, sec. 2004.

<sup>40</sup> *Kentucky*: Carroll's Statutes, 1922, sec. 331c-1.

<sup>41</sup> *Minnesota*: 1919, extra session, ch. 51, sec. 5; *Virginia*: 1922, ch. 103, sec. 7; *Georgia*: 1922, No. 521, sec. 9; *Alabama*: 1923, No. 543, sec. 6; *South Carolina*: 1924., No. 723, sec. 5.

the person with whom the child is to be placed, and such other information as may be required by the State board.

*Proper home conditions to be assured.*—The Indiana law requires in each case a written contract guaranteeing a proper home for the child and making the person who receives him responsible for proper care, education, and training.<sup>42</sup> Kentucky, Maryland, New Jersey, Pennsylvania, Virginia, Minnesota, and Alabama have like provisions.<sup>43</sup> The Minnesota, Virginia, and Alabama laws add that the contract must be approved by the State enforcing agency. Georgia makes it one of the conditions of the bond that the person with whom the child is placed shall be responsible for his proper care and training.<sup>44</sup> In New York the provision of a suitable home and the responsibility of the person receiving the child for his proper care, education, and training are both provisions of the bond.<sup>45</sup>

The text of the Michigan law shows great solicitude for the protection of the child. Before a child is placed in a Michigan home the home must be investigated by the county agent of the State welfare commission and the agent's statement of approval must be filed with the probate judge to whom the bond is furnished.<sup>46</sup>

By the Delaware law<sup>47</sup> the person or agency responsible for the placing must abide by the rules and regulations of the State board as to health, education, and general welfare of the child. Delaware also provides that the State board may order the removal of a child whom it considers improperly placed, and if the order is not obeyed within 30 days may itself take charge of the child, collecting on the bond the amount of whatever expenses are incurred.

*Supervision and reports.*—Indiana requires that the responsible person or agency supervise care and training, sending an agent to visit the child at least once a year,<sup>48</sup> and that reports as to the condition of the child be made to the State board as that board may require. Kentucky, New Jersey, New York, Pennsylvania, and Maryland have similar provisions, Pennsylvania and Maryland requiring two visits a year.<sup>49</sup> New York also requires the placing agency to guarantee the care and training of the children it places.

The Michigan law places the duty of visiting once a year upon the county agent of the Michigan State Welfare Commission. As in his

<sup>42</sup> *Indiana*: Burns' Annotated Statutes, 1914, sec. 3671.

<sup>43</sup> *Kentucky*: Carroll's Statutes, 1922, sec. 331c-1; *Maryland*: Annotated Code, 1911, vol. 2, art. 88A, sec. 12; *New Jersey*: 1918, ch. 147, sec. 647 as amended 1922, ch. 95; *Pennsylvania*: Statutes, 1920, sec. 13477; *Virginia*: 1922, ch. 103, sec. 7; *Minnesota*: 1919, extra session, ch. 51, sec. 5; *Alabama*: 1923, No. 543, sec. 6.

<sup>44</sup> *Georgia*: 1922, No. 521, sec. 9.

<sup>45</sup> *New York*: State Charities Law, sec. 306, as amended 1924, ch. 437.

<sup>46</sup> *Michigan*: Compiled Laws, 1915, sec. 2004.

<sup>47</sup> *Delaware*: 1921, ch. 50, adding 1005G, sec. 3G, to Revised Code.

<sup>48</sup> *Indiana*: Burns' Annotated Statutes, 1914, sec. 3671.

<sup>49</sup> *Kentucky*: Carroll's Statutes, 1922, sec. 331c-1; *New Jersey*: 1918, ch. 147, sec. 647 as amended 1922, ch. 95; *New York*: State Charities Law, sec. 306, as amended 1924, ch. 437; *Pennsylvania*: Statutes, 1920, sec. 13477; *Maryland*: Annotated Code, 1911, vol. 2, art. 88A, sec. 12.

st investigation before the judge approved the bond, the agent is send copies of his report to the probate judge, the State commission, and the licensee. Though the licensee is not specifically required by v to visit the child, he must keep records of the child, of his parents, the person with whom he is placed, and of any change in residence custody of the child, and must make annual reports thereon to the Michigan State Welfare Commission. Moreover, the State commission may visit and investigate at any time, quite as in the case of a resident child placed by a Michigan agency.<sup>50</sup>

Minnesota, Georgia, and South Carolina make no specific requirements as to visits; but they require the responsible placing agency report as to the location and well-being of the child, annually and such other times as the State board of control may direct, so long the child remains within the State and until he reaches the age of or is legally adopted.<sup>51</sup>

Virginia and Alabama lay down a thoroughgoing principle as to pervision—a principle that had already been laid down in Michigan. The State board of public welfare in Virginia and the State child-welfare department in Alabama have the same right of supervision over children placed from outside the State as over resident children placed by the placing agency itself. The placing agency is by no means relieved of its responsibility, however. It must report once year, or when the child is transferred to another home, or at any other times that the board may direct.<sup>52</sup>

Utah stipulates that the placing agency keep a record of each child until he becomes 18 years of age or is legally adopted or discharged. The agency must also report annually to the State board of health to its management, system of visitation, etc., the report determining whether or not a license shall be issued.<sup>52a</sup>

*Observance of rules and regulations of enforcing agency.*—The laws of Alabama, Delaware, Indiana, Minnesota, New Jersey, Pennsylvania, and Virginia specifically state that any rules made by the State enforcing agency on the subject of the placing of children from outside the State must be observed.<sup>53</sup> In Kentucky, Michigan, and Vermont specific provision is made that the necessary regulation (in Vermont, the issuing certificates) shall be made by the State enforcing agency. *Removal of child if he becomes a public charge.*—Under the Illinois law, if the child becomes a public dependent within five years after being brought into the State the placing agency must remove him.<sup>54</sup>

Michigan: Compiled Laws, 1915, secs. 2004-2006.

Minnesota: 1919, extra session, ch. 51, sec. 5; Georgia: 1922, No. 521, sec. 9; South Carolina: 1924, No. 5, sec. 5.

Virginia: 1922, ch. 103, sec. 7; Alabama: 1923, No. 543, sec. 6.

<sup>a</sup> Utah: 1923, ch. 59, secs. 2, 4.

See chart following p. 13.

Illinois: Revised Statutes (Smith's), 1921, ch. 23, sec. 210.



Like provision is found in the laws of Iowa, Kansas, Missouri, Nebraska, Nevada, Ohio, South Dakota, and West Virginia.<sup>55</sup> Maryland requires the child's removal by the placing agency within 30 days after the receipt of written notice if he becomes a public charge before reaching the age of 21 years.<sup>56</sup>

Vermont and Wyoming merely provide for "guaranty against the child becoming a public charge;"<sup>57</sup> and Oregon and Tennessee, against his becoming a public charge within five years from the time of his entrance into the State.<sup>58</sup> Michigan requires as a condition of the bond that the child shall not become a public charge before reaching the age of 21 years. In case of dependency, support is to be collected on the bond.<sup>59</sup> Nothing is said in these five laws as to returning the child to the State from which he came.

Certain States have additional provisions in regard to removal. In Indiana the child must be removed if he becomes a public charge before reaching the age of 21 years; and if within three years from his coming he is convicted of crime or misdemeanor and imprisoned, he is to be removed immediately upon his release. Failure to remove entails forfeit of \$1,000, recoverable on the bond.<sup>60</sup> The Pennsylvania law on this point is the same.<sup>61</sup> The New Jersey provision is similar except that the amount of the forfeit<sup>62</sup> shall be determined on the basis of costs for care and prosecution. In New York the placing agency must remove within 30 days after receiving written notice a child who becomes a public charge during his minority and must guarantee the removal immediately upon release of any child who within three years from time of arrival is convicted of juvenile delinquency or crime and committed to an institution or prison. Upon failure of the licensee to remove the child the amount expended in the maintenance or prosecution of the child or for his return to the licensee is to be a charge upon the bond.<sup>62a</sup>

In Delaware the child must be removed if he becomes a public charge, or is convicted of crime or misdemeanor, before reaching the age of 21 years.<sup>63</sup> Delaware and New Jersey stipulate that the placing agency shall repay any sums expended in care or prosecution. Kentucky makes the child removable if he becomes a public charge before

<sup>55</sup> *Iowa*: Code Supplement, 1913, sec. 3260-L; *Kansas*: Revised Statutes, 1923, sec. 38-315; *Missouri*: Revised Statutes, 1919, sec. 1104; *Nebraska*: Compiled Statutes, 1922, sec. 8268; *Nevada*: Revised Laws, 1912, sec. 747; *Ohio*: General Code, 1920, sec. 1677; *South Dakota*: Revised Code, 1919, sec. 9992; *West Virginia*: 1921, ch. 134, sec. 14.

<sup>56</sup> *Maryland*: Annotated Code, 1911, vol. 2, art. 88A, sec. 12.

<sup>57</sup> *Vermont*: 1919, No. 208, sec. 1; *Wyoming*: Compiled Statutes, 1920, sec. 3903, subdiv. 5.

<sup>58</sup> *Oregon*: Laws (Olson), 1920, sec. 9835; *Tennessee*: Code (Baldwin) Supplement, 1920, sec. 4436a-65a-19.

<sup>59</sup> *Michigan*: Compiled Laws, 1915, sec. 7231.

<sup>60</sup> *Indiana*: Statutes (Burns), 1914, sec. 3671.

<sup>61</sup> *Pennsylvania*: Statutes, 1920, sec. 13477.

<sup>62</sup> *New Jersey*: 1918, ch. 147, sec. 647, as amended 1922, ch. 95.

<sup>62a</sup> *New York*: State Charities Law, sec. 306, as amended 1924, ch. 437.

<sup>63</sup> *Delaware*: 1921, ch. 50, adding 1005E, sec. 3E, to Revised Code.

reaching the age of 21 or if he is imprisoned within five years of the time of his coming into the State, failure to remove in either case entailing the forfeiture of \$1,000 on the bond.<sup>64</sup>

Minnesota, followed by Georgia and South Carolina, departs from the three-to-five year limit as to delinquency and provides that if the child becomes a public charge or, in the opinion of the board, a menace to the community before he reaches his twenty-first year or is adopted, the placing agency must remove him from the State.<sup>65</sup> In Virginia and Alabama, where there is no arrangement for bonds, the placing agency is under written agreement with the State board to remove the child at any time previous to adoption or coming of age, on the request of that board.<sup>66</sup> It is a notable point that Alabama, Georgia, Minnesota, North Dakota, and Virginia provide for removal on request of the enforcing agency and go into little detail as to what conditions would make the child a social menace and necessitate his removal. This is an interesting example of government by executive board rather than by strictly detailed legislative enactment—a marked feature of present-day development in the handling of social problems.

#### Penalties.

Besides the forfeits noted above in case of failure to remove a child who has become a public dependent, various penalties are laid down for disregarding the provisions of the act. Where a fine is the only penalty specified in the law, the amount is \$100 in Delaware (for first offense), Indiana, and New Jersey; not more than \$100 in Oregon, Pennsylvania, Tennessee, and Wyoming; not more than \$500 in Vermont; and not more than \$1,000 in Maryland. Penalties of imprisonment varying from 10 days to one year, or fines of \$5 to \$200, or in some States both such fine and imprisonment are provided for in the laws of Alabama, Illinois, Kansas, Kentucky, Michigan, Missouri, Nebraska, Nevada, Ohio, South Dakota, Virginia, and West Virginia. Minnesota, Virginia, Georgia, and South Carolina make violation of the law simply a misdemeanor. In Michigan a society's license may be revoked for violation of the law, and an agency operating without license not only is liable to fine or imprisonment, or both, but may be debarred from placing work for 10 years.<sup>67</sup>

<sup>64</sup> *Kentucky*: Statutes (Carroll), 1922, sec. 331c-1.

<sup>65</sup> *Minnesota*: 1919, extra session, ch. 51, sec. 6; *Georgia*: 1922, No. 521, sec. 9; *South Carolina*: 1924, No. 728, sec. 5.

<sup>66</sup> *Virginia*: 1922, ch. 103, sec. 7; *Alabama*: 1923, No. 543, sec. 6.

<sup>67</sup> For citations see chart following p. 13.

## LEGAL PROVISIONS AS TO TAKING DEPENDENT CHILDREN OUT OF THE STATE.

To regulate the "exportation" of homeless children, and thus to limit the carrying of such social problems over the borders into other States calls for a broader spirit than that which simply makes for local self-protection. Though such a measure is not so immediately and demonstrably one of local self-interest, Alabama, Minnesota, North Dakota, and Virginia have risen to legislative action on this subject.

A section of the Minnesota law<sup>68</sup> gives the protection of State oversight to children taken out of the State for placing elsewhere in foster homes. Unless the person responsible for such placing is the child's parent or guardian he must notify the State board of control, giving the name and age and a personal description of the child, the name and address of the person with whom the child is to be placed, and any other information that the board may require. Thereafter he must report to the board annually, or more frequently if it so directs, until the child reaches the age of 18 or is legally adopted. The North Dakota law<sup>69</sup> is similar in respect to procedure at the time of placement, but it does not require the subsequent reports called for by the Minnesota law.

A similar section in the Alabama and Virginia laws<sup>69</sup> provides that in such cases the child must be placed under a written contract, approved by the State enforcing agency, to the effect that the person with whom the child is placed shall be responsible for his proper care and training. These States have the same requirement as Minnesota with regard to reports.

## OUTSTANDING FEATURES OF THE LAWS.

Since the early laws of Indiana and Illinois the most notable development in legal regulation of importation and exportation of dependent children has appeared in the measures enacted by Minnesota and Virginia. The original points here are: The requirement in each case of the State board's consent to admittance to the State and of its approval of the home before the child is placed; supervision by the State board, as in the case of any child placed by that board and under its immediate care; removal of the child from the State on the request of the State board, which in this matter is given large discretionary power; careful safeguarding of children removed from the State for placing. Especially important, also, is the thorough-going plan of organization for public supervision revealed by the Michigan law.

<sup>68</sup> *Minnesota*: 1919, extra session, ch. 51, sec. 6; *North Dakota*: 1923, ch. 159, sec. 2.

<sup>69</sup> *Virginia*: 1922, ch. 103, sec. 7; *Alabama*: 1923, No. 543, sec. 7.

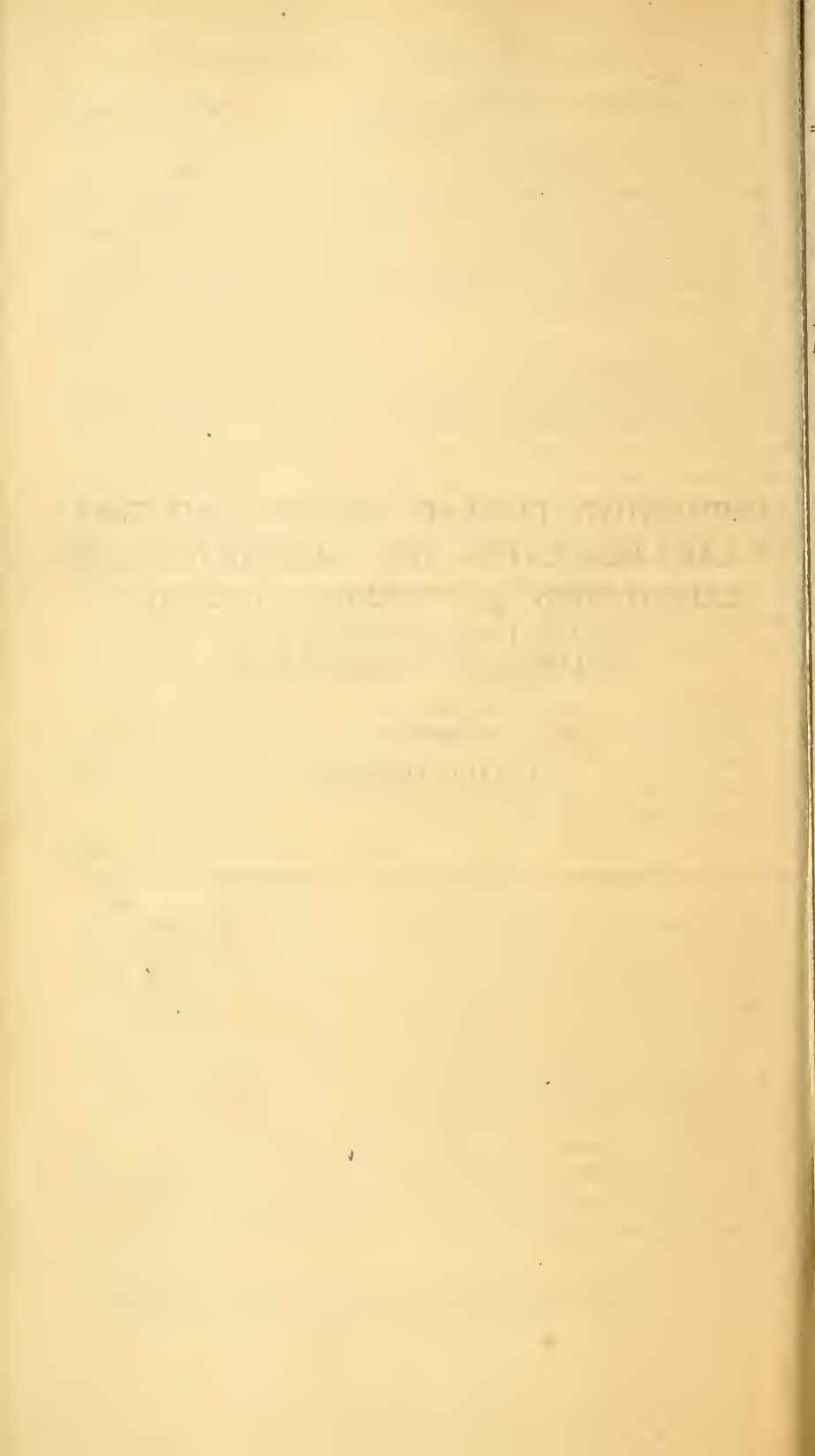
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COMPARATIVE TABULAR ANALYSIS AND TEXT  
OF LAWS REGULATING THE "IMPORTATION AND  
EXPORTATION" OF DEPENDENT CHILDREN

(INCLUDES LEGISLATION THROUGH 1923  
AND LAWS OF 1924 AVAILABLE TO DATE)

Compiled by  
LULU L. ECKMAN



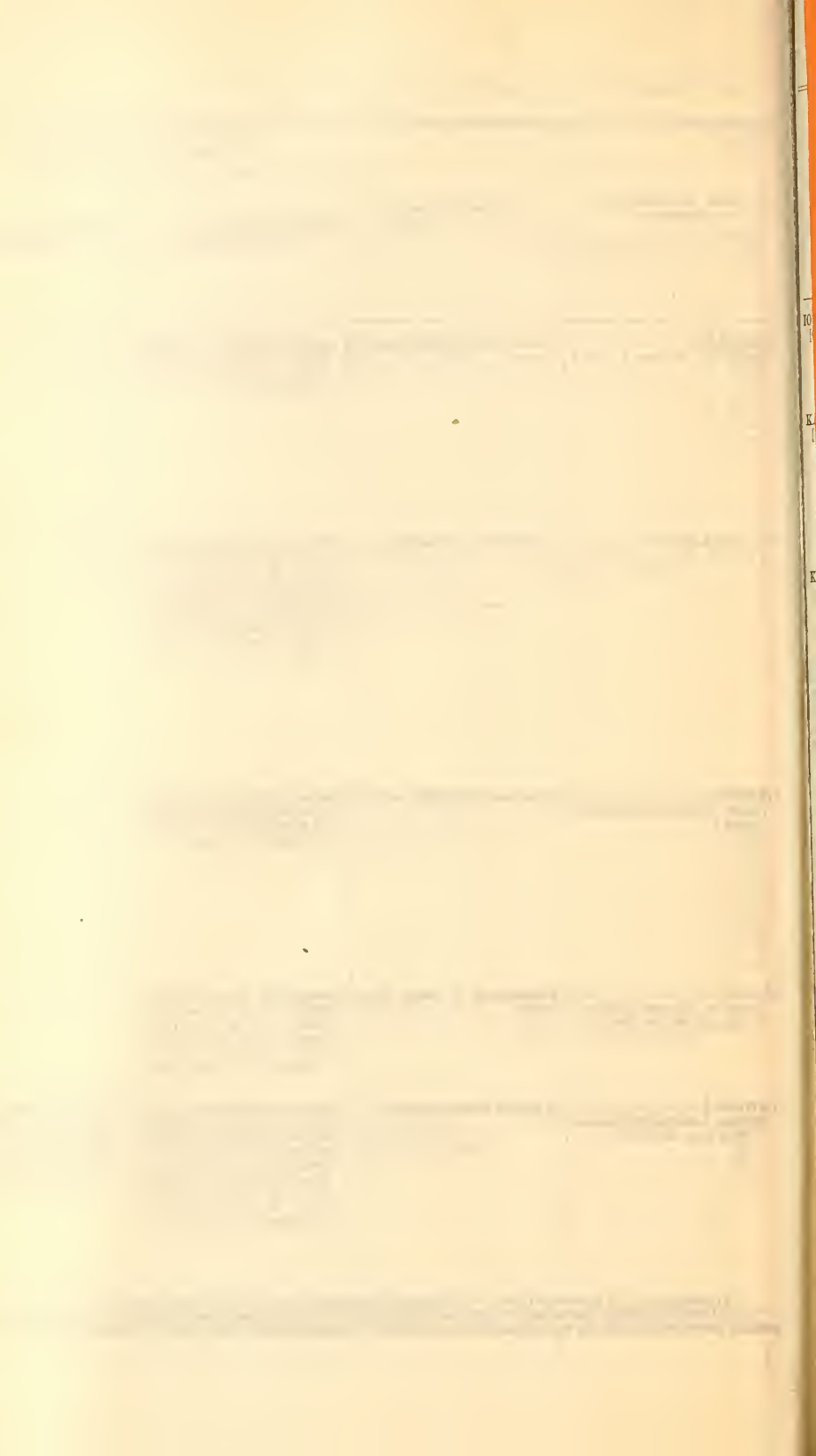




TABULAR ANALYSIS OF STATE LAWS RELATING TO "IMPORTATION" OF DEPENDENT CHILDREN.<sup>1</sup>

II. Application of law. exemptions.														
State and statutory references.	1. Enforcing agency.	III. Conditions which must be met before child may be brought into State for purpose of placing.												
		Individuals, agencies, etc., classes of children	Relatives exempted, other exemptions.	Consent or license required.	Bond or other guaranty required.	Conditions to be secured by bond or guaranty.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	IV. Violation; penalty.
LABAMA [1923, No. 54], secs. 6, 7, 10.]	State child-welfare department.	Agency bringing or sending child into State for purpose of placing or procuring adoption. <sup>1</sup>		Consent of State enforcing agency required.	Placing agency shall enter into written agreement with State enforcing agency.		Before bringing child into State, placing agency shall notify State child-welfare department of its intention and receive certificate therefrom stating that in its opinion proposed home is suitable.	Child to be placed under written contract, approved by State enforcing agency, making person with whom placed responsible for proper care and training. Before child may be brought into State, placing agency must notify enforcing agency and obtain therefrom a certificate approving the proposed home.	State child-welfare department has same right of visitation and supervision of child and home in which placed as in case of child placed by that department.	Placing agency shall report to State enforcing agency annually, or when child is placed in another home, or such times as department requires concerning location and well-being of child; so long as he remains within State until he reaches age of 18 or is legally adopted.	Placing agency shall conform to rules of State welfare commission.	Upon request of State enforcing agency any child who has not been adopted or become of age must be removed from State by placing agency.	Violation of any of these provisions is punishable by fine of not more than \$100 or imprisonment for 1 year, or both.	
DELAWARE [1921, ch. 50.]	State board of charities.	Person, association, or corporation bringing or causing to be brought or sent into this State any dependent child for purpose of placing in a home by indenture, adoption, boarding, or otherwise.		Written consent of State board of charities.	Bond of \$5,000 required of placing agency, of person receiving child, or of both; surety may be required. [Blanket bond presumed to be the intention, but law not specific.]	Child who is incorrigible, of unsound mind or body, or mentally subnormal.	Observance of rules and regulations of State board of charities regarding education, health, general welfare, etc., is required. (See also chd. 10.)	State board of charities is authorized to make rules and regulations regarding supervision. It shall also examine proceedings of agencies securing homes, and if satisfied that child has been placed in improper home may order his transfer or removal from State. If such order is not obeyed within 30 days may take charge of child.	Placing agency shall abide by rules and regulations made by State board of charities pertaining to supervision, education, health, removal, and general welfare of all such children.	If child becomes a public charge, or is convicted of crime or misdemeanor before reaching age of 21, agency responsible for his placing shall, within 30 days after written notice from State board of charities, remove him from State, or shall reimburse State, county, or municipality for expense incurred in his care or prosecution. State board may also order removal of child found to have been placed in improper home.	Violation of any of these provisions constitutes misdemeanor, punishable by fine of \$100; continued disobedience after notification is punishable by fine of \$100.			
GEORGIA [Code, 1909, § 321, sec. 9 and 11.]	State board of public welfare.	Person bringing or sending child into State for purpose of placing him out or procuring his adoption.			Bond of \$1,000 for each child shall be filed with State board of public welfare; such bond must receive approval of board.	Child who is incorrigible or of unsound mind or body.	Before child is brought into State, the State board of public welfare shall be notified of such intention and given description of child, also name and address of person with whom he is to be placed; and placing agency must receive from State board certificate stating that in its opinion proposed home is suitable.	Before child may be brought into State the placing agency must notify State board of public welfare directly and obtain from this board certificate stating that in its opinion proposed home is suitable. The person with whom child is placed becomes responsible for his proper care and training.	Placing agency is required to report annually to State board of public welfare directly and at such other times as State board of public welfare directs concerning location and well-being of child so long as he remains within State until he reaches age of 18 or is legally adopted.	Placing agency shall report annually and at such other times as State board of public welfare directs concerning location and well-being of child so long as he remains within State until he reaches age of 18 or is legally adopted.		If child becomes a public charge or if in opinion of State board of public welfare he becomes a menace to the community, prior to his adoption or becoming of legal age, placing agency guarantees his removal.	Violation of any of these provisions constitutes misdemeanor for which no penalty is fixed by law may be punished by fine not exceeding \$1,000, imprisonment for 6 to 12 months, or both fine and imprisonment. (C. O. d. 1914 (Pennal), sec. 1963.)	
ILLINOIS [Smith's Revised Statutes, 1921, ch. 23, sec. 218.]	Department of public welfare.	Association incorporated under laws of another State placing child in family home within this State, with or without indenture or for adoption.			Department of public welfare to be furnished such guaranty as it may require.	Child having contagious or incurable disease or deformity, or being of feeble mind or vicious character.	State board to be notified immediately upon placement, and given name and age of child and residence of person with whom placed.	Child to be placed under written contract securing for him proper home and making person with whom placed responsible for care, education, and training.	Child to be visited at least once a year by responsible agent for placing agency.	Placing agency shall report to State board such reports as board may require.	Placing agency to conform to such rules and regulations of State board as may make.	If child becomes a public charge within 5 years after being brought into State, placing agency shall receive him promptly and remove him from State.	Person receiving or placing child on behalf of association not having compliance with requirements of law is subject to imprisonment for 30 days, or fine of \$100, or both.	
INDIANA [Burns' Annotated Statutes, 1914, secs. 3676-3674.]	Board of State charities.	Person, corporation, association, or institution bringing or causing to be brought or sent into this State any dependent child for purpose of placing in family home by indenture, adoption, or otherwise, or abandoning such child.	Relative bringing child from another State for purpose of placing such child in his own or any other family is exempt from these provisions.	Written consent of board of State charities.	Bond of \$10,000, approved by board of State charities. [Blanket bond presumed to be the intention, but law not specific.]	Child who is incorrigible, or of unsound mind or body.	State board to be notified immediately upon placement, and given name and age of child and residence of person with whom placed.	Child to be placed under written contract securing for him proper home and making person with whom placed responsible for care, education, and training.	Child to be visited at least once a year by responsible agent for placing agency.	Placing agency to conform to such rules and regulations of State board as may make.	If child becomes a public charge before reaching age of 21, placing agency guarantees his removal from State. If he is convicted of crime or misdemeanor and imprisoned within 3 years after arrival in State his removal immediately upon being released from prison is guaranteed.	Upon failure to remove child under conditions guaranteed by bond, placing agency shall forfeit \$1,000. Violation of any provision of this act is punishable by fine of \$100.		

<sup>1</sup> Including also "Exposition laws" of Alabama, Minnesota, North Dakota, and Virginia. The State child-welfare department must be notified of the intention to do so and is given such information as this department may require, the placing agency shall place the child under a written contract, approved by the department, making the person with whom the child is placed responsible for the proper care and training of the child and of such other business as the department may direct, as to the location and well-being of child, until he becomes 18 years of age or is formally adopted. (Iowa, Laws 1923, No. 543, Sec. 7.)



TABULAR ANALYSIS OF STATE LAWS RELATING TO "IMPORTATION" OF DEPENDENT CHILDREN—Continued.

State, and statutory references.	II. Application of Law to conditions.					III. Conditions which must be met before child may be brought into State for purpose of placing.								IV. Violation; penalty.
	1. Enforcing agency.	Individuals, agencies, etc., classes of children.	Relatives exempted, other exceptions.	Consent or license required.	Bond or other guaranty required.	Conditions to be secured by bond or guaranty.								
						Classes of children excluded from State.	State agency to be notified of intention to bring child; also of placement.	Proper home conditions to be assured.	Supervision of child by placing agency; by other agency.	Reports required of placing agency.	Observance of rules and regulations.	Removal of child from State if he becomes a public charge.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	
Supplement of 1913, §360-L.]	State board of control.	Association incorporated under laws of another State placing child in family home within this State, with or without indenture or for adoption.	Law does not prohibit resident of State from receiving and adopting into his family any child or children from another State.		Blanket bond of \$1,000 and such guaranty as State board of control may require.	Child having contagious or incurable disease, or a deformity, or being of feeble mind or vicious character.							If child becomes a public charge within 5 years after being brought into State, placing agency shall receive him promptly and remove him from State.	
U.S. Department of Labor, Bureau of Child Labor, Circular No. 15.]	State board of administration.	do	do		Such guaranty as State board requires.	do							Any person receiving to be placed or placing a child in behalf of association not incorporated within this State which has not complied with requirements of law is subject to imprisonment for 30 days, or fine of \$5 to \$100, or both fine and imprisonment.	
KENTUCKY. Code 1902, §3316-4.]	State superintendent of Kentucky Children's Home Society.	Person, corporation, association, or institution bringing, sending, or causing to be brought or sent into this State from another State any dependent child for purpose of placing in family home, with or without indenture or for adoption.	A relative bringing child from another State for purpose of giving him a home in his own family is exempt from these provisions.		Bond of \$10,000 to be furnished county judge of county where child is to be placed.	Child who is incorrigible, or unsound of mind or body, or who has a contagious or incurable disease.	Report to be made to State superintendent of Kentucky Children's Home Society when child is placed, giving name and age of child and name and address of person with whom placed.	Child to be placed under written contract securing proper home and making person with whom placed responsible for proper care, education, and training.	Child to be visited at least once a year by responsible representative of placing agency.	Placing agency to make to superintendent of Kentucky Children's Home Society such reports as superintendent may require.	Necessary rules and regulations to be made by State enforcing agency.	If child becomes a public charge before reaching 21 years of age, placing agency guarantees his removal from State within 90 days after receiving written notice thereof from superintendent of Kentucky Children's Home Society; if he is convicted of crime or misdemeanor and imprisoned within 5 years after arrival in State, his removal therefrom immediately upon release from prison is guaranteed.	Upon failure to remove child under conditions guaranteed by bond, placing agency shall forfeit \$1,000, to be recovered on bond. To receive child for placing or to place in a home in violation of this act is punishable by imprisonment for 10 to 60 days or fine of \$25 to \$250, or both fine and imprisonment.	
MASSACHUSETTS. Code 1911, vol. I, §8A, secs. 12-14.]	Board of State aid and charities.	Person, corporation, association, or institution bringing, sending, or receiving, or causing to be brought, sent, or received in this State any pauper, vagrant, criminal, incorrigible, insane, or helplessly crippled or diseased child for purpose of placing by indenture, adoption, or otherwise.	Relative bringing child from another State for purpose of giving him a home in his own or any other family is exempt from these provisions; neither does law apply to placing of children in any institution within this State.	Written consent of board of State aid and charities required. (See col. 3 for classes of children for which consent is required.)	Bond of \$10,000, approved by State board, shall be furnished board of State aid and charities. (See col. 3 for classes of children for which such bond is required.) [Blanket bond presumed to be the intention but law is not specific.]	See column 3 for classes of children the bringing of which is regulated.	State agency to be notified immediately when such a child (as is described in col. 3) is brought into the State, giving name and age of child and name and address of person with whom placed.	Child to be placed under written contract securing for him proper home and making person with whom placed responsible for proper care, education, and training. (See col. 3 for classes of children to which this refers.)	Child to be visited at least once in 6 months by responsible representative of placing agency.	Placing agency to make to State board such reports as board may require.		If child becomes a public charge before reaching age of 21, placing agency guarantees his removal from State within 30 days after written notice from State board.	Violation constitutes misdemeanor punishable by fine not exceeding \$1,000.	
CANADA. Laws 1915, secs. 2008, 2010, 7231.]	State welfare commission.	Person, society, association, organization, or corporation of this State or of another State placing minor children in homes in this State by indenture, adoption, on trial, or otherwise.		Must be licensed therefore by State welfare commission. Annual renewal of license required.	[Section 7231 of the Compiled Laws requires that a bond of \$1,000 be filed with the probate judge of the county for each child placed therein, such bond to have two sureties, one a resident of county. This section comes from an old law which the State enforcing agency considers to have been superseded to a certain extent by the later enactments (secs. 2001-2010) requiring agencies outside the State to be licensed by the State enforcing agency before they may place children within the State. Under this interpretation it appears that the bond is required only of persons and agencies that are not so licensed.]		County agent of State commission shall be notified when child is placed; also to be notified in case of adoption or subsequent removal of child.	Before child may be placed therein proposed home shall be investigated by county agent of State commission and his approval in writing filed with probate judge. Report of agent's investigation shall be filed in triplicate, one with probate judge, one with State commission, and one with licensee.	County agent of State commission shall visit each child at least once a year and report thereon to probate judge, State commission, and placing agency. Such visits to cease with adoption of child. State commission may investigate at any time.	Placing agency is required to keep record of child, of name and residence of parents, and of person with whom placed, also of any change in custody of child or of residence of custodians; and to make annual report thereof to State commission.	State welfare commission is authorized to make such rules and regulations as it deems advisable to protect interests of children and to carry out intent of law.	[No provision for removal but the bonding provision as found in section 7231 contains a guaranty against the child's becoming a public charge before reaching the age of 21. For interpretation of this section see col. 6.]	For violation of any of these provisions license of agency may be revoked. Unless person acting, or organization which he represents, is licensed, such person is guilty of misdemeanor and liable to a fine of \$25 to \$100, or imprisonment for 30 to 90 days, or both, and may be debarred from such work for 10 years.	



TABULAR ANALYSIS OF STATE LAWS RELATING TO "IMPORTATION" OF DEPENDENT CHILDREN—Continued.

State, and statutory references.	III. Conditions which must be met before child may be brought into State for purpose of placing.											IV. Violation; penalty.	
	II. Application of law; exemptions.					Conditions to be secured by bond or guaranty.							
	1. Enforcing agency.	Individuals, agencies, etc., classes of children.	Relatives exempted, also exemptions.	Consent or license required.	Bond or other guaranty required.	Classes of children excluded from State.	State agency to be notified of intention to bring child; also of placement.	Proper home conditions to be assured.	Supervision of child by placing agency; by other agency.	Reports required of placing agency.	Observance of rules and regulations.		Removal of child from State if he becomes a public charge.
1	2	3	4	5	6	7	8	9	10	11	12	13	
ALABAMA. (Extra session, ch. 51, § 5, and § 9.)	State board of control.	Person bringing or sending child into this State for purpose of placing him out or procuring his adoption. <sup>1</sup>	These provisions do not prohibit resident of State from bringing child into his own family.	Consent of State board of control is required.	Bond of \$1,000, approved by State board, shall be filed with that board. [Blanket bond presumed to be the intention but law not specific.]	Child who is incurable, or unsound of mind or body.	Before bringing child into State the placing agency must notify State board of control of such intention, giving a description of child and name and address of person with whom he is to be placed and must receive from State board certificate stating that in its opinion proposed home is suitable.	Child to be placed under written contract approved by State board of control, making person with whom he is placed responsible for proper care and training. Before child may be brought into State the placing agency must notify State board of control and obtain from this board certificate stating that in its opinion proposed home is suitable.	Placing agency is required to report annually concerning well-being of child so long as he remains within State until he reaches age of 18 or is legally adopted.	Placing agency shall report annually and at such other times as board of control direct concerning location and well-being of child so long as he remains within State, until he reaches age of 18 or is legally adopted.	Conformance to rules of State board of control is required.	If child becomes a public charge or if in opinion of board of control he becomes a menace to the community before he becomes of legal age or before he is legally adopted, placing agency must make to remove him from State.	Violation of these provisions or making of false statements or reports constitutes misdemeanor, a second or subsequent offense is a gross misdemeanor. (A misdemeanor for which no penalty is fixed by law may be punished by imprisonment in the county jail for not more than 3 months, or fine of \$100. A gross misdemeanor is punishable by imprisonment for 1 year or fine of \$1,000 [Gen. Stat. 1913, secs. 8482 and 8483].)
ARIZONA. (Statutes 1919, secs. 1361.)	State board of charities and corrections.	Association incorporated under laws of another State placing child in family home within this State with or without indenture or for adoption.			State board to be furnished such guaranty as it may require.	Child having contagious or incurable disease or being of feeble mind or vicious character.						If child becomes a public charge within 5 years after arrival in State, placing agency shall receive him promptly and remove him from State.	Person who receives or places child in behalf of foreign agency which has not complied with these requirements is subject to imprisonment for 30 days, or fine of \$5 to \$100, or both fine and imprisonment.
ARKANSAS. (Statutes 1922, §§ 528 and 527.)	Department of public welfare.	Association incorporated under laws of another State, placing any child in family home within this State, with or without indenture or for adoption. Also person receiving child to place him in a home on behalf of a foreign corporation which has not complied with the law.			Shall enter into undertaking with department of public welfare, and furnish such sureties as that department may require.	Child having contagious or incurable disease, or any deformity, or being of feeble mind or vicious character.						If child becomes a public charge within 5 years after arrival within State, placing agency shall receive him and remove him from State.	Person violating provisions of act is guilty of misdemeanor and liable to imprisonment for not more than 30 days or fine of \$50 to \$250.
ARIZONA. (Laws 1912, sec. 1361.)	Attorney general.	Association incorporated under laws of another State placing child in family home within this State with or without indenture or for adoption.			Shall furnish attorney general such guaranty as he may require.	do.						If child becomes a public charge within 5 years after arrival in State, placing agency shall receive him and remove him promptly from State.	To receive for placing or to place child on behalf of foreign corporation which has not complied with law is punishable by imprisonment for 30 days, or fine of \$5 to \$100, or both fine and imprisonment.
CALIFORNIA. (Statutes 1927, ch. 617, secs. 646-647 amended by 1925, ch. 65, secs. 648-650.)	State commissioner of institutions and agencies.	Person, corporation, association, or institution bringing or causing to be brought or sent into this State any dependent child for purpose of placing in a home by indenture, adoption, or otherwise, or abandoning such child.	Relative bringing child from another State for purpose of giving him a home in his own or any other family, with consent of State enforcing agency, is exempt from these provisions.	License must be secured from commissioner of institutions and agencies; and request for such license must be accompanied by certificate or other evidence showing that applicant is approved by State board or similar body of State from which child is brought.	Blanket bond of \$1,000, approved by State enforcing agency, shall be furnished.	Child who is incurable, or unsound of mind or body. Blindness in itself is not a barrier.	Notice to be given to enforcing agency immediately when child is placed, with name and age of child and name and residence of person with whom placed.	Child to be placed under written contract which will secure for him proper home and make person receiving him responsible for care, education, and training.	Placing agency shall supervise care and training, handling each child placed by it visited at least once a year by responsible person or agent.	Placing agency shall make such reports from time to time as are required by the State enforcing agency.	Observance of rules and regulations of State enforcing agency is required.	If child becomes a public charge before reaching age of 21, placing agency guarantees his removal or emancipation may have expended in care or prosecution and the State is punishable by fine of not more than \$100.	Upon failure to remove child from State as is provided under terms of guaranty, placing agency shall forfeit such sum as State, county, or municipality may have expended in care or prosecution of child or for his return to licensee shall be charge upon bond.
CONNECTICUT. (Charities Law, amended by 1925, ch. 437.)	State board of charities.	Person, agency, association, corporation, society, institution, or other organization, except on authorized agency, bringing, sending, or raising to be brought or sent into this State any child for the purpose of placing, boarding, or procuring the placing by adoption, guardianship, or otherwise, in a family, a home, or an institution, except with an authorized agency.	Authorized agency.	Must be licensed thereby by State board of charities. Application for license shall be submitted on forms approved and provided by State board and shall be accompanied by proof that applicant is licensed or otherwise approved by State board of charities or similar body within his own State.	Blanket indemnity bond of reputable surety company for not less than \$1,000, approved by State enforcing agency, shall be furnished that board.		State board to be notified immediately of name and age of child, place from which he came, name, last residence, and religious faith of parents, name and residence of person or agency with which placed, any change in disposition.	Child to be placed under agreement which will secure for him a proper home and make person so receiving him responsible for his proper care, education, and training; his religious faith to be considered in placing.	Placing agency guarantees to supervise care and training of each child placed by it, shall visit annually by responsible agent; shall make such reports as State enforcing agency requires.	Placing agency guarantees to make such reports from time to time as State enforcing agency requires.		If child becomes public charge during his minority, placing agency agrees to remove him from State within 30 days after receiving written notice thereof; if within 3 years from time of arrival he is convicted of venereal delinquency or crime and committed to institution or prison, placing agency guarantees his removal immediately upon his release.	For failure to remove any child from State as provided in terms of guaranty, amount expended in maintenance or prosecution of child or for his return to licensee shall be charge upon bond.

Massachusetts also regulates the taking of a child out of the State for the purpose of placing in a foster home by any person other than the parent or guardian, by requiring that the State board of control be notified as is outlined above (see ed. 8); also that the board receive reports at least annually as to the location and well-being of the child until he reaches the age of 18 or is legally adopted. [1919, extra session, ch. 54, sec. 6.]





TABULAR ANALYSIS OF STATE LAWS RELATING TO "IMPORTATION" OF DEPENDENT CHILDREN—Continued.

	II. Application of law; exemptions.				III. Conditions which must be met before child may be brought into State for purpose of placing.								IV. Violation; penalty.	
and statutory references.	1. Enforcing agency.	Individuals, agencies, etc.; classes of children.	Relatives exempted, other exemptions.	Consent or license required.	Bond or other guaranty required.	Conditions to be secured by bond or guaranty.								
						Classes of children excluded from State.	State agency to be notified of intention to bring child; also of placement.	Proper home conditions to be assured.	Supervision of child by placing agency; by other agency.	Reports required of placing agency.	Observance of rules and regulations.	Removal of child from State if he becomes a public charge.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	
DAKOTA..... ch. 159, repealing [Comp. Laws 1913, sec. 103.]	Board of administration.....	Any person, partnership, voluntary association, or corporation bringing or sending children from any State into this State for placement in family homes. <sup>1</sup>	Law does not prohibit resi- dent of State from person- ally bringing a child into State for permanent care or adoption into his own family; he must, however, report to board, giving his name and address, name of child, and name and ad- dress of person or agency from which child was re- ceived.	Must be licensed therefor by State board of adminis- tration.	Blanket bond of \$1,000, ap- proved by attorney gen- eral, shall be filed with State enforcing agency.	Child who is incorrigible, un- sound of mind or body, or likely to become a public charge.	State board to be notified when child is placed.	The placing agency guarantees that all provisions of the statutes relating to the placement of children will be complied with.				Placing agency guarantees to remove promptly upon notice from State enforce- ing agency.	Violation of any of these pro- visions is deemed a misde- meanor. (A misdemeanor for which no penalty is pre- scribed by law may be pun- ished by imprisonment in county jail for not more than 1 year, or fine of \$500, or both. [Comp. Laws 1913, sec. 9205.]	
Code, 1920 (Page 3) s. 1077, 1678.]	Department of public wel- fare.	Association of another State, incorporated or otherwise, placing child in family home within this State, with or without indenture or for adoption.			State enforcing agency to be furnished such guaranty as it may require.	Child having a contagious disease, or a deformity, or being of feeble mind or vicious character.						If child becomes a public charge within 5 years after coming into State, placing agency guarantees to re- ceive him promptly and remove him from State.	Violation of any of these pro- visions is punishable by imprisonment for 30 days, or fine of \$100, or both fine and imprisonment.	
Law (Olson's), cc. 933.]	Child-welfare commission.....	Nonresident or foreign ag- ency or institution placing child in family home within this State.			State enforcing agency to be furnished such guaranty as it may require against disease, deformity, feeble- mindedness, and delin- quency, and against child's becoming a public charge within 5 years from date of placement.	The placing agency to fur- nish such guaranty as is required against disease, deformity, feeble-mind- edness, and delinquency.						Placing agency to furnish such guaranty as is re- quired against child's be- coming a public charge within 5 years from date of placement.	Violation is deemed a mis- demeanor punishable by fine not exceeding \$100 for each offense.	
EVANIA..... o. 1920, sec. 1347- Law, 1923, No. c. 210.]	Department of welfare.....	Person, corporation, associa- tion, or institution bring- ing, sending, or causing to be brought or sent into this State any dependent, delinquent, or defective child for purpose of placing in a home by indenture, adoption, or otherwise, or abandoning such child.	Law does not apply to relative going to any other State and bringing child into this State for purpose of giving him a home in his own family, nor to placing of child in any institution in this State, provided he is not removed therefrom and placed out in this State except in accordance with provisions of law.	Written consent of State enforcing agency is re- quired.	Blanket bond of \$1,000, ap- proved by State enforcing agency, shall be furnished department of welfare.	Child who is incorrigible, or unsound of mind or body.	State agency to be notified immediately when child is placed, and given name and age of child and name and residence of person with whom placed.	Child to be placed under written contract securing for him proper home and making person receiving him responsible for proper care, education, and train- ing.	Child to be visited at least twice a year by responsible agent of placing agency.	Placing agency shall make such reports to State en- forcing agency as that agency may require.	Conformance with rules and regulations of State en- forcing agency is required.	If child becomes a public charge before reaching age of 21, placing agency guar- antees his removal from State within 30 days after notification thereof by State board; if he is con- victed of crime or misde- meanor and imprisoned within 3 years after arrival in State his removal im- mediately upon release from prison is guaranteed.	Violation of any of these pro- visions is punishable by fine not exceeding \$100. Forfeit of \$1,000, recover- able on bond, if child has become a public charge or having been imprisoned (see ed. 13) is not duly removed.	
CAROLINA..... o. 728, sec. 5, § 1.]	Child-placing bureau of State board of public welfare.	Person, agency, or institu- tion of another State, Ter- ritory, or country bring- ing or sending into this State any child and leav- ing him, placing him in a foster home, or procuring his adoption.	Persons related within 6th degree to such child by blood or marriage are ex- empted from these provi- sions.			Placing agency is required to furnish satisfactory evi- dence that child is not in- corrigible or unsound of mind or body.	Before child may be brought into State child-placing bureau of State board of public welfare shall be notified of such intention and given name, age, and personal description of child, and name and ad- dress of person with whom he is to be placed, and fur- nish satisfactory evi- dence that child is not in- corrigible or unsound of mind or body, and such other information as may be required, and plac- ing agency must receive from child-placing bureau cer- tificate stating that in its opinion proposed home is suitable.	Before bringing or sending child into State respon- sible agency must notify child-placing bureau of State board of public wel- fare, giving description of child and name and ad- dress of person with whom he is to be placed, and ob- tain from that bureau cer- tificate stating that pro- posed home is in its opinion suitable.	Placing agency is required to report annually to State enforcing agency concern- ing location and well-being of child so long as he re- mains within State until he becomes 18 years of age or is legally adopted.	Agency responsible for plac- ing child shall report at least annually and at such other times as bureau di- rects concerning location and well-being of child so long as he remains within State until he reaches age of 18 or is legally adopted.		Placing agency is required to furnish satisfactory evi- dence if at it will remove any child who becomes a public charge or who, in opinion of child-placing bureau, becomes a menace to the community prior to his adoption or becoming of legal age.	Violation of any of these pro- visions constitutes a misde- meanor.	

Dakota regulates the taking or sending of a child out of the State for placement in a family home in another State by requiring the consent of the board of administration so to do and that report be made to this board giving the name and address of the child, name and address of family which is to receive him, and such other information as the board requires. This provision does not apply to parent who personally  
child from the State. [1923, ch. 159, sec. 2.]





TABULAR ANALYSIS OF STATE LAWS RELATING TO "IMPORTATION" OF DEFENDENT CHILDREN—Continued.

II. Application of law, exemptions.				III. Conditions which must be met before child may be brought into State for purpose of placing.										IV. Violation; penalty.	
and statutory references.	1. Enforcing agency	Individuals, agencies, or classes of children	Relatives exempted, other exemptions	Consent or license required	Bond or other guaranty required.	Classes of children excluded from State.	Conditions to be secured by bond or guaranty.						Observance of rules and regulations.		Removal of child from State if he becomes a public charge.
							State agency to be notified of intention to bring child; also of placement.	Proper home conditions to be assured.	Supervision of child by placing agency; by other agency.	Reports required of placing agency.	12	13			
1	2	3	4	5	6	7	8	9	10	11	12	13	14		
ARIZONA, Code 1919, sec. 1407A.	See column 6 for county agencies having to do with enforcing this law. The only duty vested in State board of charities and corrections is to receive notification of child placed without bond, it then being the duty of this board to notify county court to investigate and take necessary action for protection of child and of State.	Association or society incorporated under laws of another State bringing or sending child into this State for purpose of placing in family home by adoption or otherwise.	Resident of State is not prohibited from receiving and adopting into his family the child or children of relatives or from another State.		Bond of \$500 for each child placed within any county shall be furnished jointly (treasurer, such bond requires signature of at least one resident freeholder of State and approval of county commissioners.	Child having a contagious, infectious, or incurable disease, being deformed, or being of feeble mind or vicious character.				County court may require person having custody of any child for whom bond has not been filed to appear in court and make report concerning child, such reports not required after adoption of child.		If child becomes a public charge within 5 years after coming into State, placing agency guarantee to receive him promptly and remove him from State.	Violation of these provisions or receiving child for placing on behalf of agency which has not complied with these provisions, constitutes misdemeanor punishable by imprisonment for 30 days or fine of \$5 to \$100, or both fine and imprisonment.		
ARKANSAS, Cumulative Supplement of 1928, Act No. 19, 1929, ch. 42.	Department of institutions.	Agency or institution of another State placing child in family home within this State.			State enforcing agency to be furnished such guaranty as it may require against disease, deformity, feeble-mindedness, or delinquency, and against child's becoming a public charge within 5 years after placement.	Placing agency to furnish such guaranty as is required against disease, deformity, feeble-mindedness, or delinquency.						Placing agency to furnish such guaranty as is required against child's becoming a public charge within 5 years after placement within State.	Violations are punishable by fine not exceeding \$100 for each offense.		
CALIFORNIA, Stats. 1917, ch. 103, sec. 1407A.	State board of health.	Every child brought or sent into State to be placed for adoption or otherwise in private home must be placed by agency licensed to engage in child placing within State (requirement for licensing applies to every person, firm, corporation, or association which receives for placing or places or assists in placing more than 2 children in 6 months).	Resident of State not prohibited from bringing or causing to be brought into State child for adoption into his own family.	Every agency (i. e., individual, firm, corporation, or association) which receives for placing, places, or assists in placing more than 2 children within a period of 6 months must be licensed annually by State board of health.					Placing agency is required to keep record giving brief history of each child until he becomes 18 years of age or is legally adopted or discharged by law.	Every licensee is required to report annually to State enforcing agency showing the condition, management, and competency to care for children, system of visitation employed by those placed in private homes, and such other facts as are required by board, these reports furnishing a basis for use of board in determining whether or not license should be issued.			Violation of any of these provisions constitutes a misdemeanor. (A misdemeanor for which no penalty is fixed by law may be punished by imprisonment in county jail for not more than 6 months or by fine of \$50, or by both (Comp. Laws 1917, sec. 7563.))		
CONNECTICUT, Stats. 1929, ch. 103, sec. 1 and 4.	Department of public welfare.	A home or institution within this State receiving a dependent child.		Consent of board of charities and probation, and certificate thereof, are required.	State enforcing agency to be furnished sufficient guaranty by bond or otherwise.	Child having contagious or incurable disease or being of feeble mind.					State enforcing agency may make regulations for issuance of certificate.	State enforcing agency to be furnished sufficient guaranty that child will not become a public charge.	Violation is punishable by fine of not more than \$500.		
CONNECTICUT, Stats. 1929, ch. 103, sec. 7, 8, and 9.	State board of public welfare.	Agency bringing or sending child into this State for purpose of placing or procuring adoption.		Consent of State enforcing agency is required.	Placing agency shall enter into written agreement with State agency.		Before bringing child into State the placing agency shall notify State board of its intention and shall receive certificate from State board stating that in its opinion the proposed home is suitable.	Child to be placed under written contract, approved by State board, making person with whom placed responsible for proper care and training. (See also sec. 8.)	State board has same right of visitation and supervision of child and home in which placed as in case of child placed out by board.	Placing agency shall report annually, or when child is placed in another home, to State department of public welfare; also, at such other times as this board directs, as to location and well-being of child so long as he remains within State, until he reaches age of 18 or is legally adopted.	Conformance with rules of State enforcing agency is required.	Placing agency shall enter into written agreement with State agency providing for removal of child, upon request of said board, prior to child's adoption or becoming of age.	Violation is punishable by fine of not more than \$100, or imprisonment for 1 year, or both fine and imprisonment.		
FLORIDA, Stats. 1929, ch. 34, sec. 14.	State board of children's guardians.	Association of another State placing child in family home within this State, with or without indenture or for adoption.			State board of children's guardians to be furnished such guaranty as it may require.	Child having contagious or incurable disease or a deformity, or being of feeble mind or vicious character.						If child becomes a public charge within 5 years after being brought into State, placing agency shall receive him promptly and remove him from State.	Person receiving child for placing on behalf of agency which has not complied with these requirements is deemed guilty of misdemeanor and is subject to imprisonment for 30 days, or fine of \$5 to \$100, or both fine and imprisonment.		
FLORIDA, Stats. 1929, ch. 34, sec. 15.	State board of charities and reform.	Agency or institution of another State placing child in family home in this State.			State board of charities and reform to be furnished such guaranty as it may require against disease, deformity, feeble-mindedness, or delinquency and against child's becoming a public charge.	Placing agency to furnish such guaranty as is required against disease, deformity, feeble-mindedness, or delinquency.						Placing agency to furnish such guaranty as is required against child's becoming a public charge.	Violations are punishable by fine not exceeding \$100 for each offense.		

is also regulates the taking of a child out of the State for the purpose of placing in a foster home, by any other person than the parent or guardian, by requiring that the State board of public welfare be notified of such intention and given such information as this board may require. The placing agency is required to place the child under a written contract, approved by the board, making the person with whom placed responsible for his proper care and training. Reports are required of the placing agency, annually and at such other times as the board may direct, as to location and well-being of child until he becomes 18 years of age or is legally adopted. (1922, ch. 140, sec. 5.)



## TEXT OF STATE LAWS.

### ALABAMA.

*Agency bringing or sending child into State for purpose of placing; consent required; conformance with rules of State child welfare department; guaranty; notification before placing; certificate required as to suitability of proposed home; reports.*—No agency shall bring or send into the State any child for the purpose of placing him out or procuring his adoption without first obtaining the consent of the State Child Welfare Department. Such agency shall conform to the rules of the State Welfare Commission and shall enter into a written agreement with the department (a) to remove such child from the State when requested so to do by the said department, prior to the child's adoption or becoming of age; (b) that it will place the child under written contract approved by the department; (c) that the person with whom the child is placed shall be responsible for his proper care and training; (d) that the department shall have the same right of visitation and supervision of the child and the home in which it is placed as in the case of a child placed out by the department. Before the child shall be brought or sent into the State for the purpose of placing him in a home, the agency so bringing or sending such child shall first notify the State department of its intention and shall obtain from the State department a certificate stating that such home is, in the opinion of the said department, a suitable home for the child. The agency bringing or sending the child into the State shall report once a year, or when the child is placed in another home, or at such times as the department may direct, as to the location and well-being of the child so long as he shall remain within the State and until he shall have reached the age of eighteen years or shall have been legally adopted. [General Laws of 1923, No. 543, sec. 6.]

*Taking child out of State for purpose of placing; notification of State department; conditions of placing; reports.*—No child shall be taken or sent out of the State for the purpose of placing him in a home, otherwise than by a parent or guardian, unless the agency so taking or sending him shall give the State Child Welfare Department notice of its intention and furnish such information as the department may require. Such agency shall place the child under written contract approved by the department that the person with whom the child is placed shall be responsible for his proper care and training, and thereafter shall report to the department once a year and at such other times as the department may direct, as to the location and well-being of such child until he shall have reached the age of 18 years or shall have been legally adopted. [Ibid., sec. 7.]

*Violations; penalty.*—Every person, acting for himself or for an agency, and every officer, agent, or employee of the State Child Welfare Department, who violates any of the provisions of this Act, or who shall intentionally make any false statements to the State Child Welfare Department shall, upon conviction thereof, be punished by a fine of not more than \$100, or by imprisonment for not more than 1 year, or by both such fine and imprisonment, at the discretion of the court. [Ibid., sec. 10.]

### DELAWARE.

*Bringing dependent child into State; consent required.*—It shall be unlawful for any person, association, or corporation to bring or send, or cause to be brought or sent into the State of Delaware, any dependent child for the purpose of placing such child in any home in this State, or for the purpose of procuring the placing of such child in any home by indenture, adoption, boarding or otherwise, without first obtaining the written consent of the State board of charities, and giving bond, as hereinafter provided. [Laws 1921, ch. 50, adding 1005D, sec. 3D, to Revised Code.]

*Bond required of placing agency, of person receiving child, or of both; conditions of bond.*—Before any child shall be brought into this State for any of the purposes provided in 1005D, section 3D, of this article, the person, association, or corporation desiring to bring or send any such child into this State, or the individual desiring to receive a child or both as the State board of charities may require, shall execute a bond to the



State of Delaware in the penal sum of \$3,000 to be approved by the State board of charities, and to be with surety, if the said State board of charities shall so require. The condition of said bond shall be substantially that such person, association, or corporation shall not bring or send, or cause to be brought or sent, or receive, into this State any child that is incorrigible, that is of unsound mind or body, or is mentally subnormal; and that such person, association, corporation, or individual shall abide by all rules laid down by the State board of charities under 1005G, section 3G, of this act. If any such child shall become a public charge, or be convicted of any crime or misdemeanor before reaching the age of 21 years, such person, association, or corporation responsible for such child, shall, within 30 days after written notice given by the State board of charities, remove such child from the State and shall pay to the State, county, or municipality such sum as may have been expended in the care or prosecution of such child. [Ibid., adding 1005E, sec. 3E, to Rev. Code.]

*Supervision of home where child is placed; duties of State board.*—The State board of charities shall examine the proceedings of societies for securing homes for children, and whenever satisfied that a child has been placed by such society in an improper home, it may order its transfer to a proper one or its removal from the State; and if said order is not obeyed within 30 days, it shall itself take charge of the child, returning it to the society responsible, or otherwise providing for it. Any society failing to remove a child after such notice shall at once pay to the State such sum as the State may have expended in the care, maintenance, or transportation of such child. [Ibid., adding 1005F, sec. 3F, to Rev. Code.]

*Rules and regulations made by State board.*—Any person, association, or corporation placing any child under the provision of this act shall abide by all rules made by the State board of charities pertaining to the rejection, importation, placing, supervision, education, health, removal and general welfare of all such children. [Ibid., adding 1005G, sec. 3G, to Rev. Code.]

*Appropriation for enforcement.*—That for the purposes of carrying out the provisions of the foregoing sections and of 1004, section 2, of this chapter, an additional sum of \$2,000 is appropriated annually from any moneys in the hands of the State Treasurer, not otherwise appropriated, which shall be paid out as provided in 1005, section 3, of this chapter. [Ibid., adding 1005H, sec. 3H, to Rev. Code.]

*Violation, penalty.*—That any person, association, or corporation, or any officer, agent, or employee thereof, who shall violate any of the provisions of the foregoing sections, 1005D, section 3D, to 1005G, section 3G, inclusive, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$50 or more than \$100, and any such person, association, or corporation, or officer, agent or employee thereof who shall continue to disregard any of the provisions of the said sections for a period of 10 days after notification from the State board of charities shall be guilty of a new, separate, and distinct offense and misdemeanor, and upon conviction thereof shall be fined for each such offense not less than \$100 or more than \$1,000. [Ibid., adding 1005I, sec. 3I, to Rev. Code.]

*Repealing clause.*—That section 194 to 197, inclusive, of chapter 71 of the Revised Code of the State of Delaware, entitled "School Laws of the State of Delaware," and all other acts inconsistent herewith be and the same are hereby repealed. [Ibid., adding 1005J, sec. 3J, to Rev. Code.]

## GEORGIA.

*Children brought into State for placement; notification before placing; certificate as to suitability of proposed home; bond; reports.*—Be it further enacted by the authority aforesaid, That no person shall bring or send into the State any child for the purpose of placing him out or procuring his adoption, without first filing notice with the State board of public welfare. He shall file with the board a bond to the State for each child, approved by the board, in the penal sum of \$1,000, conditioned that he will not send or bring into the State any child who is incorrigible or unsound of mind or body; that he will remove any such child who becomes a public charge or who, in the opinion of the board of public welfare, becomes a menace to the community prior to his adoption or becoming of legal age; that the person with whom the child is placed shall be responsible for his proper care and training. Before any child shall be brought or sent into the State for the purpose of placing him in a foster home, the person so bringing or sending such child shall first notify the State board of public welfare of his intention and shall obtain from the board a certificate stating that such home is, in the opinion of the board, a suitable home for the child. Such notification shall state the name, age, and personal description of the child, and the name and address of the person with whom the child is to be placed, and such other information as may be required by the board. The person bringing or sending the child into the State shall report at least once each year, and such other times as the board of

public welfare shall direct, as to the location and well-being of the child so long as he shall remain within the State and until he shall have reached the age of 18 or shall have been legally adopted. [Laws 1922, No. 521, sec. 9.]

*Violation; penalty.*—*Be it further enacted by the authority aforesaid,* That any person who shall violate any of the provisions of this act, or who shall make any false statements or reports to the board of public welfare with reference to the matter contained herein, and any parent or guardian or person receiving a child who shall give a false name or address to the board of public welfare, or any agency licensed under this act, shall, upon conviction, be guilty of a misdemeanor. [Ibid., sec. 11.]

### ILLINOIS.

*Foreign corporation placing child within State; guaranty required; penalty for receiving or placing child on behalf of corporation which has not complied with law.*—No association which is incorporated under the laws of any other State than the State of Illinois, shall place any child in any family home within the boundaries of the State of Illinois either with or without indenture, or for adoption, unless the said association shall have furnished the board of State commissioners of public charities [department of public welfare]<sup>1</sup> with such guaranty as they may require that no child shall be brought into the State of Illinois by such society or its agents, having any contagious or incurable disease, or having any deformity, or being of feeble mind, or of vicious character, and that said association will promptly receive and remove from the State any child brought into the State of Illinois by its agent, which shall become a public charge within the period of five years after being brought into the State. Any person who shall receive to be placed in a home, or shall place in a home, any child in behalf of any association, incorporated in any other State than the State of Illinois, which shall not have complied with the requirements of this act shall be imprisoned in the county jail not more than 30 days, or fined not less than \$5 or more than \$100, or both in the discretion of the court. [Smith's Illinois Revised Statutes 1921, ch. 23, sec. 210.]

### INDIANA.

*Bringing dependent children into State; consent of board.*—That it shall be unlawful for any person, corporation, association, or institution to bring or send or cause to be brought or sent into the State of Indiana any dependent child for the purpose of placing such child in any home in Indiana, or procuring the placing of such child in any home in Indiana by indenture, adoption, or otherwise, or to abandon such child after being brought or sent into the State of Indiana, without first obtaining the written consent of the board of State charities, and conforming to this act and to such rules and regulations of such board consistent herewith as such board may from time to time prescribe. Authority is hereby given such board to make such rules and regulations as it shall deem best to carry out the provisions of this act. [Burns' Annotated Statutes 1914, sec. 3670.]

*Bond of indemnity.*—Such person, corporation, association, or institution, before bringing or sending or causing to be brought or sent, any such child into this State shall first give an indemnity bond in favor of the State of Indiana in the penal sum of \$10,000, to be approved by said board of State charities, conditioned as follows: That they will not send or bring, or cause to be brought or sent into this State any child that is incorrigible, or one that is of unsound mind or body; that they will at once, upon the placement of such child, report to the board of State charities its name and age and the name and residence of the person with whom it is placed; that if any such child shall, before it reaches the age of 21 years, become a public charge, they will, within 30 days after written notice shall have been given them of such fact by the board of State charities, remove such child from the State; and if any such dependent child shall be convicted of crime or misdemeanor and imprisoned within three years from the time of its arrival within the State, such person, corporation, association or institution will remove from the State such child immediately upon its being released from such imprisonment, and upon failure, after 30 days' notice and demand to remove as aforesaid, any such child who shall have either become a public charge as aforesaid, or who shall have been convicted as aforementioned, in either event such person, corporation, association or institution shall, at once and thereby, forfeit the sum of \$1,000 as a penalty therefor, to be recovered upon such bond by a suit in the name of the State of Indiana; that they will place, or cause to be placed, each of such dependent children under written contract, which will secure to such child a proper home, and will make

<sup>1</sup> The department of public welfare, created by act of Mar. 7, 1917, succeeds to the powers and duties formerly vested in the commissioner of charities. [Smith's Rev. Stat. 1921, ch. 127.]



the person so receiving such child responsible for its proper care, education and training; that they will properly supervise the care and training of each of such children, and that each of such children shall be visited at least once a year by a responsible agent of the person, corporation, association, or institution so placing, or causing to be placed, such child as herein provided; that they will make to the said board of State charities such reports of their work as said board from time to time may require. [Ibid., sec. 3671.]

*Rules by board of charities.*—The board of State charities shall have general supervision and management of all matters contained in this act, and may make such other and further rules and regulations not inconsistent herewith as it may deem necessary for the proper placing out, indenture, adoption, removal and supervision of such children, and for the rejection of incorrigible or unsound children, and for the removal of children convicted of crimes or misdemeanors, or who may become public charges. [Ibid., sec. 3672.]

*Penalty for violation.*—Any person, corporation, association or institution, or any officer or agent thereof, herein described, who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$100. [Ibid., sec. 3673.]

*When act not applicable.*—That the provisions of this act shall not apply to a relative going to any other State and bringing a child into this State for the purpose of giving it a home in his or any other family. [Ibid., sec. 3674.]

## IOWA.

*Foreign corporation placing child within State; guaranty.*—No association which is incorporated under the laws of any other State than the State of Iowa shall place any children in any family home within the boundaries of the State of Iowa, either with or without indenture or for adoption, unless the said association shall have furnished the State board of control with such guaranty as it may require, including an indemnity bond in favor of the State of Iowa in the penal sum of \$1,000, that no child shall be brought into the State of Iowa by such society or its agents, having any contagious or incurable disease, or having any deformity, or being of feeble mind, or of vicious character, and that said association will promptly receive and remove from the State any child brought into the State of Iowa by its agents, which shall become a public charge within the period of five years after being brought into this State: *Provided*, That this act shall not be construed as prohibiting any person residing in Iowa from receiving and adopting into his family any child or children from another State. [Code, Supplement of 1913, sec. 3260-L.]

## KANSAS.

*Placing children within State by foreign corporations; guaranty to be furnished State board of charities; penalty for receiving children or placing same in a home on behalf of corporation which has not complied with this act.*—No association which is incorporated under the laws of any other State than the State of Kansas shall place any child in any family home within the boundaries of the State of Kansas, either with or without indenture or for adoption, unless the said association shall have furnished the board of administration with such guaranty as they may require that no child will be brought into the State of Kansas by such society or its agents having any contagious or incurable disease, or having any deformity, or being of feeble mind or vicious character, and that said association will receive and remove from the State any child brought into the State of Kansas by its agent which shall become a public charge within the period of five years after being brought into the State. Any person who shall receive to be placed in a home, or shall place in a home, any child in behalf of any association incorporated in any other State than the State of Kansas which shall not have complied with the requirements of this act shall be imprisoned in the county jail not more than 30 days, or fined not less than \$5 or more than \$100, or both, in the discretion of the court. [Revised Statutes 1923, sec. 38-315.]

## KENTUCKY.

*Conditions upon which dependent child may be brought into State.*—No person, corporation, association, or institution shall bring or send, or cause to be brought or sent, into the State of Kentucky, from any other State any dependent child, for the purpose of placing such child in any family home within the boundaries of the State of Kentucky, either with or without indenture or for adoption, or shall procure same to be done, unless the said person, corporation, association, or institution shall have furnished the

county judge of the county in which any such child is to be placed or left, with a bond acceptable to the said county judge, in the penal sum of \$10,000 conditioned as follows: That they will not send or bring, or cause to be brought or sent into this State or any county thereof, any child that is incorrigible, or one that is of unsound mind or body, or having any contagious or incurable disease; that they will at once, upon the placement of such child, report to the State superintendent of the Kentucky Children's Home Society its name and age, and the name and residence of the person with whom it is placed; that if any such child shall, before it reaches the age of 21 years, become a public charge they will, within 30 days after written notice shall have been given them of such fact by the superintendent of the Kentucky Children's Home Society, remove such child from the State; and if any such dependent child shall be convicted of crime or misdemeanor, and shall be imprisoned within five years from the time of its arrival in the State, such person, corporation, association, or institution shall remove such child from the State immediately upon its being released from said imprisonment, and upon failure upon 30 days' notice or demand to remove, as aforesaid, any such child who shall have either become a public charge as aforesaid, or who shall have been convicted as aforementioned, in either event such person, corporation, association, or institution shall at once forfeit the sum of \$1,000 as a penalty therefor, to be recovered upon said bond by a suit in the name of the county in which said bond shall have been filed; that they will place, or cause to be placed, each of such dependent children under written contract, which will serve any such child a proper home [sic], and will make the person so receiving such child responsible for its proper care, education, and training; that they will properly supervise the care and training of such child, and that each of such children shall be visited at least once a year by a responsible agent of the person, corporation, association or institution so placing, or causing to be placed, such child as herein provided; that they will make to the superintendent of the Kentucky Children's Home Society such reports of their work as he may from time to time require. [Carroll's Kentucky Statutes 1922, sec. 331c-1.]

*Powers of State board of Kentucky children's home.*—The State board of the Kentucky Children's Home Society shall have general supervision and management of all matters contained in this act, and make such other further rules and regulations, not inconsistent herewith, as it may deem necessary for the proper placing out, indenture, adoption, removal and supervision of such children, and for the rejection of incorrigible or unsound children, and for the removal of children convicted of crime or misdemeanors, or who may become public charges. [Ibid., sec. 331c-2.]

*Penalty for violating this act.*—Any person, corporation, association, or institution, or any officer or agent thereof, who shall receive, to be placed in a home, or shall place in a home, any child in violation of any of the provisions of this act, shall be imprisoned in the county jail not less than 10 nor more than 60 days, or fined not less than \$25 or more than \$200, or both, in the discretion of the court. [Ibid., sec. 331c-3.]

*Act not applicable to relatives.*—The provisions of this act shall not apply to a relative going to any other State and bringing a child into this State for the purpose of giving it a home in his own family. [Ibid., sec. 331c-4.]

## MARYLAND.

*Bringing dependent, defective, or delinquent child into State; consent required; bond.*—It shall be unlawful for any person, corporation, association or institution to bring or send, or receive, or cause to be brought, or sent, or received into the State of Maryland, any actual pauper, vagrant, criminal, incorrigible, insane, or helplessly crippled or diseased child for the purpose of placing such child in any home in Maryland or procuring the placing of such child in Maryland by indenture, adoption, or otherwise, without first obtaining the written consent of the Board of State Aid and Charities of Maryland, and complying with the following requirements: Before such person, corporation, association, or institution shall bring, or send, or receive, or cause to be brought, or sent or received any such child into this State, they shall furnish to the said Board of State Aid and Charities of Maryland an indemnity bond in favor of the State of Maryland in the penal sum of \$10,000, to be approved by said Board of State Aid and Charities of Maryland, said bond to be conditioned "that they will, at once, upon the placing of any such child, report to the Board of State Aid and Charities of Maryland its name and age, and the name and residence of the person with whom it is placed; that if any such child shall, before it reaches the age of 21 years, become a public charge, they will, within 30 days after the written notice shall have been given them of such fact by the said Board of State Aid and Charities of Maryland, remove such child from the State; that they will not place, or cause to be placed, any such child, except under written contract which will secure such



child a proper home and will make the person so receiving the child responsible for its proper care, education, and training; that they will properly supervise the care and training of such child, and cause such child to be visited, at least once in six months, by a responsible person, and that they will make the said Board of State Aid and Charities of Maryland such reports of their work as the said board from time to time may require." [Annotated Code 1911, vol. 2, art. 88A, sec. 12.]

*Penalty for violation.*—Any person, corporation, association or institution, or any officer or agent thereof, who shall violate any of the provisions of section 12, shall be guilty of a misdemeanor, and upon conviction shall be fined a sum not exceeding \$1,000." [Ibid., sec. 13.]

*Not applicable to relatives; other exemptions.*—The provision of sections 12 and 13 shall not apply to a relative going to any other State and bringing a child into this State for the purpose of giving it a home in his or any other family, nor to the placing of children in any institution in this State. [Ibid., sec. 14.]

## MICHIGAN.

*Foreign agency placing child within State; license required; exemptions.*—It shall be unlawful for any person, society, association, organization, or corporation of this State or for any person, society, association, organization, or corporation of a foreign State to engage in the business of receiving, maintaining, or placing out minor children in homes in this State by indenture, adoption, on trial, or otherwise, without having in full force a license therefor issued by the board of corrections and charities [State welfare commission]<sup>2</sup> in the manner herein prescribed: *Provided*, That nothing in this act shall apply to any State institution maintained and operated by the State [Compiled Laws 1915, sec. 2001.]

*Investigation before issuance of license; rules and regulations prescribed by State agency.*—The board of corrections and charities [State welfare commission] is hereby authorized to issue licenses to such persons, societies, associations, organizations, or corporations as may apply therefor. Applications for such licenses shall be made to the board of corrections and charities [State welfare commission] upon blanks to be furnished by the said board [commission] upon request. Before granting any license the said board [commission] shall have authority to make investigation of the methods of doing business, the facilities for receiving, caring for and placing out children, and may refuse a license to any applicant whenever it shall find the persons are of immoral character or unfit to have the care and custody of minor children, or that the buildings and equipments are unfit for the maintenance of minor children, or that the methods of doing business are such as would be subversive of the welfare of children who might come within its custody or control. The board of corrections and charities [State welfare commission] is hereby expressly authorized to make and prescribe all such rules and regulations, not inconsistent with the provisions of this act, as shall be deemed necessary or advisable to protect the best interests of minor children and to carry out the intents and purposes of this act. [Ibid., sec. 2002.]

*Annual renewal of license; revocation.*—Any person, society, association, organization or corporation now engaged in the business mentioned in section 1 [2001] of this act, and desiring to continue in the business shall make application hereunder on or before October 1, 1913. Licenses issued hereunder shall expire by limitation on the 30th day of September following their issuance, and may be renewed from year to year. The license of any applicant may be revoked by the board of corrections and charities [State welfare commission] for failure of the licensee to comply with the requirements of this act, or any rule or regulation prescribed under authority of this act, or if said licensee or its officer or agent shall treat any children coming within its custody or control in a cruel or inhuman manner, or shall neglect to provide them with proper care and treatment: *Provided*, That notice of the specific charge shall be given, and a reasonable opportunity to be heard thereon furnished the licensee. Such revocation when ordered shall be spread at large upon the records of the board [commission]. [Ibid., sec. 2003.]

*Records and reports of licensee; investigation and approval of home before placing; notification of placing; supervision of child.*—Every licensee hereunder shall keep and preserve a suitable record of the full name, age or apparent age, sex, and color of every child coming within its custody or control, the name and address of the parents if known, the manner in which the custody of the child was obtained, the name and residence of the person with whom such child is placed, and shall record any change thereafter made in the custody of said child or in the residence of its custodians, and such other information as the board of corrections and charities [State welfare com-

<sup>2</sup> State welfare commission, created by Laws 1921, No. 163, supersedes former board of corrections and charities.



mission] may require and shall make an annual report thereof to said board [commission] for the year ending September 30, upon a blank prescribed and furnished by the board of corrections and charities [State welfare commission]. No child shall be placed in any home under the provisions of this act unless such home shall have been first investigated and approved in writing by the county agent of the board of corrections and charities [State welfare commission] of the county in which the home is located, and such approval filed with the probate judge of such county. The county agent of the county in which the proposed home is located shall make an investigation and report on such home upon a blank form to be prescribed by the board of corrections and charities [State welfare commission]. Said report shall be made in triplicate, one copy to be filed with the judge of probate, one with the board of corrections and charities [State welfare commission], and one with the licensee. Whenever any child shall be placed in a home under the provisions of this act the licensee shall notify the county agent of the county in which such child is placed, and the board of corrections and charities [State welfare commission], and shall also notify the said agent and said board [commission] of the subsequent adoption and removal of the child. It shall be the duty of the county agent to visit such child at least once in each year, and carefully investigate its conditions and surroundings, and make a written report thereon to the judge of probate, the board of corrections and charities [State welfare commission], and the licensee: *Provided, however,* That such subsequent visits shall cease with the adoption of the child. The county agent shall receive as compensation for his services in investigating such homes, and in making such subsequent visits, his necessary official expenses together with the sum of \$3 in full for each day's service and all bills of the county agents for services rendered hereunder, shall when duly verified by the county agent, approved by the probate judge with whom the report is filed, and by the secretary of the board of corrections and charities [director of the State welfare commission], be audited by the board of State auditors and paid in the same manner as other claims of county agents. [Ibid., sec. 2004.]

*Supervision of child by State and county agency; reports.*—The board of corrections and charities [State welfare commission], through any member or its secretary [director] is hereby authorized to visit any child placed out under the provisions of this act, and may at any time interview privately any child, not legally adopted, placed by any licensee hereunder. Said board [commission] may direct the county agent of any county in which a child has been placed under the provisions of this act, to make special investigations and file with it a written report thereon, and the county agents' per diem compensation and expenses for such services when approved by the secretary of the board of corrections and charities [director of the State welfare commission] shall be audited by the board of State auditors and paid in like manner as other claims of county agents. [Ibid., sec. 2005.]

*Supervision of licensee by State agency.*—The board of corrections and charities [State welfare commission], by any member thereof or by its secretary [director], shall have authority at any time to investigate and examine into the conditions of any home or other place in which a licensee hereunder receives and maintains children, and shall have authority at any time to examine and investigate the books and records of any licensee hereunder; and it shall be the duty of such licensee to admit the members of said board [commission] and its secretary [director], and to furnish all reasonable facilities for thorough examination of its books, records, and reports. [Ibid., sec. 2006.]

*Penalty for violation.*—Any person, or agent, representative or officer of any society, association, organization, or corporation, engaged in the business of receiving, maintaining, or placing out minor children in homes by indenture, adoption, on trial, or otherwise, who performs any of the acts authorized by the provisions of this act, unless such person, the society, association, organization, or corporation whom he assumes to represent is licensed by the board of corrections and charities [State welfare commission] for the purposes herein mentioned, shall upon conviction, be deemed guilty of a misdemeanor; and shall be fined not less than \$25 nor more than \$100 or imprisonment in the county jail not less than 30 days nor more than 90 days, or both such fine and imprisonment in the discretion of the court. Whenever any agent, representative, or officer of any society, association, organization, or corporation shall be convicted under authority of this act, such conviction shall be sufficient ground for the revocation of the license of any such society, association, organization, or corporation, and the person so convicted shall not be granted a license by the board of corrections and charities [State welfare commission] or be permitted to be connected directly or indirectly with any society, association, organization or corporation for period of 10 years thereafter. [Ibid., sec. 2007.]

*Forms for reports, etc., furnished by State agency.*—The board of corrections and charities [State welfare commission] shall prepare and have printed such blank forms

as are deemed necessary under the provisions of this act, and the expenses necessarily incurred in the printing and distribution of such blanks shall be audited by the board of State auditors and paid from the general fund. [*Ibid.*, sec. 2008.]

*Unlicensed society not to engage in child placing.*—It shall be unlawful for any society, association, or organization whatever, not incorporated under the laws of this State, or for any person for himself, or as agent, officer or employee of such society, association or organization of this or any other State, to carry on the business of receiving or maintaining minor children in homes, or placing minor children in homes, on indenture, by adoption or otherwise, and any person who for himself, or as agent, officer or employee of such society, association or organization whatever of this or of any other State, shall carry on the business of receiving or maintaining minor children in homes, or placing such children in homes, by indenture, except for some institution which is incorporated under the laws of this State for such purpose, shall be deemed guilty of a misdemeanor, and on conviction, shall be punished as the statute prescribes for such offense. [*Ibid.*, sec. 2010.]

*Bond filed with probate judge of county in which child is placed; one surety resident of county; conditions of bond; violations.*—Any person, society or asylum engaged in indenturing or placing in homes any child or children brought from any other State for the purpose of placing in homes by indenture or otherwise, shall, before placing such child or children in any home, file with the judge of probate of the county in which such child, or children, is to be placed, a bond with two or more sureties, one of which sureties shall reside in the county where such indenture is made, and both of whom shall be residents of this State, in the sum of \$1,000 for each child so placed, to be approved by the probate judge, of said county, which bond shall be conditioned that the child for which it is given shall not become a town, county or State charge before it shall have reached the age of 21 years. When it shall come to the knowledge of the judge of probate of any county that a child from another State indentured, or placed in a home under the provisions of this act, has been neglected and become a public charge, he shall at once investigate such matter and if satisfied that such child is a public charge he shall declare the bond forfeited and proceed to collect the same as provided by law for the collection of forfeited bonds. The judge of probate shall order the money so collected to be paid to the township or county having to support said child; or if it has become a State charge, he shall order it paid to the State treasurer, and when so paid it shall be placed in the general fund; any person or office of any asylum or institution herein described, having the care, custody or control of any minor child who shall indenture, apprentice, have adopted or otherwise disposed of such child, and any person who shall take such child indentured, apprenticed, adopted or otherwise disposed of, to him or her, except in the manner herein provided shall be deemed guilty of a misdemeanor. [*Ibid.*, sec. 7231.]

## MINNESOTA.

*Person bringing or sending child into State for purpose of placing; consent required; bond required; conditions of bond; notification before placing; reports required; conformance with rules of State board; relatives exempted.*—No person shall bring or send into the State any child for the purpose of placing him out or procuring his adoption, without first obtaining the consent of the State board of control, and such person shall conform to the rule of the board. He shall file with the board a bond to the State, approved by the board in the penal sum of \$1,000, conditioned that he will not send or bring into the State any child who is incorrigible or unsound of mind or body; that he will remove any such child who becomes a public charge or who, in the opinion of the board of control becomes a menace to the community prior to his adoption or becoming of legal age that he will place the child under a written contract approved by the board that the person with whom the child is placed shall be responsible for his proper care and training. Before any child shall be brought or sent into the State for the purpose of placing him in a foster home, the person so bringing or sending such child shall first notify the State board of control of his intention, and shall obtain from the board a certificate stating that such home is, in the opinion of the board, a suitable home for the child. Such notification shall state the name, age and personal description of the child, and the name and address of the person with whom the child is to be placed, and such other information as may be required by the board. The person bringing or sending the child into the State shall report at least once each year, and at such other times as the board of control shall direct, as to the location and well-being of the child so long as he shall remain within the State and until he shall have reached the age of 18 or shall have been legally adopted: *Provided, however,* That nothing herein shall be deemed to prohibit a resident of this State from bringing into the State a child for adoption into his own family. [*Laws 1919 (extra session), ch. 51, sec. 5.*]



*Taking child out of State for purpose of placing; notice required; reports; enforcement.*—Before any child is taken or sent out of the State for the purpose of placing him in a foster home, otherwise than by a parent or guardian, the person so taking or sending him shall give the State board of control such notice and information as is specified in section 5, and thereafter shall report to the board at least once each year and at such other times as the board may direct, as to the location and well-being of such child until he shall have reached the age of 18 years or shall have been legally adopted. It shall be the duty of the State board of control to carry out the provisions of this section. [Ibid., sec. 6.]

*Penalty for violation.*—Every person who violates any of the provisions of this act, or who shall intentionally make any false statements or reports to the board of control with reference to the matters contained herein, shall, upon conviction of the first offense, be guilty of a misdemeanor. A second or subsequent offense shall be a gross misdemeanor. [Ibid., sec. 9.]

## MISSOURI.

*Foreign corporation placing child within State; guaranty required.*—No association incorporated under the laws of any other State than the State of Missouri shall place any child in any family home within the boundaries of the State of Missouri, either with or without indenture, or for adoption, unless the said association shall have furnished the State board of charities and corrections with such guarantee as they may require that no child shall be brought into the State of Missouri by such society or its agents having any contagious or incurable disease or being of feeble mind or of vicious character, and that said association will promptly receive and remove from the State any child brought into the State of Missouri by its agents which shall become a public charge within the period of five years after being brought into this State. [Revised Statutes 1919, sec. 1104.]

*Receiving or placing child in violation of law; penalty.*—Any person who shall receive or be placed in a home, or shall place in a home any child in behalf of any association incorporated in any other State than the State of Missouri, which shall not have complied with the requirements of the preceding section, shall, upon conviction, be punished by imprisonment in jail not more than 30 days, or by fine of not less than \$5 nor more than \$100, or by both such fine and imprisonment. [Ibid., sec. 1105.]

## NEBRASKA.

*Corporation of another State placing child within State; undertaking required; conditions; receiving child on behalf of corporation not complying with requirement.*—No association incorporated under the laws of any other State shall place any child in any family home within this State, either with or without indenture or for adoption, without first entering into an undertaking to the department of public welfare with such sureties as the department may require, conditioned that no child having any contagious or incurable disease, or having any deformity, or being of feeble mind, or vicious character will be brought into the State by such society or its agents; and that it will receive and remove from the same any child brought into the State which shall become a public charge within the period of five years. No person shall receive, to be placed in a home, any child on behalf of any such association which shall not have complied with the requirements of the provisions of this article [Compiled Statutes 1922, sec. 8268.]

*Violations; penalty.*—Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail not more than 30 days or by a fine of not less than \$50 nor more than \$200. [Ibid., sec. 8271.]

## NEVADA.

*Corporation of another State placing child within this State; guaranty required; conditions of guaranty; receiving child on behalf of corporation not complying with requirements; penalty.*—No association which is incorporated under the laws of any other State than the State of Nevada shall place any child in any family home within the boundaries of the State of Nevada, either with or without indenture or for adoption, unless the said association shall have furnished the attorney general with such guaranty as he may require that no child shall be brought into the State of Nevada by such society or its agents, having any contagious or incurable disease, or having any deformity or being feeble-minded, or of vicious character, and that said association shall promptly receive and remove from the State any child brought into the State of Nevada by its agents, which shall become a public charge within the period of five years after being

brought into the State. Any person who shall receive, to be placed in a home, or shall place in a home any child in behalf of any association incorporated in any other State than the State of Nevada, which shall not have complied with the provisions of this act, shall be imprisoned in the county jail not more than 30 days or fined not less than \$5 nor more than \$100, or both, in the discretion of the court. [Revised Laws 1912, sec. 747.]

### NEW JERSEY.

*Bringing dependent child into State for purpose of placing; license required; evidence required that applicant is licensed or otherwise approved by State board of State from which child is to be brought; rules prescribed by State board.*—It shall be unlawful for any person, corporation, association or institution to bring or send or cause to be brought or sent into the State of New Jersey any dependent child for the purpose of placing such child in any home in New Jersey, or procuring the placing of such child in any home in New Jersey by indenture, adoption or otherwise or to abandon such child after being brought or sent into the State of New Jersey without first obtaining a license to be issued by the commissioner [of institutions and agencies], entitling such person, corporation, association or institution to the privilege of bringing or sending or causing to be brought or sent into the State of New Jersey such children for placement in conformity with this act and such rules and regulations of the State board consistent herewith as it may from time to time adopt: *Provided, however,* That each and every application for a license as provided in this section must be submitted on the form approved by the commissioner [of institutions and agencies] for the purpose and must be accompanied by a certificate or other available evidence that the applicant has obtained a license or the approval of the State board or similar body of the State from which the child is to be brought or sent into this State. [Laws 1918, ch. 147, sec. 646 as amended by Laws 1922, ch. 95.]

*Blanket bond required; amount and conditions.*—Any person, corporation, association or institution, before bringing or sending, or causing to be brought or sent, any such child into this State, such person, corporation, association or institution, having been duly licensed as provided in section 646, shall be required to furnish a blanket indemnity bond in favor of the State of New Jersey in the penal sum of one thousand dollars, to be approved by said commissioner [of institutions and agencies], conditioned as follows: That such licensed person, corporation, association or institution will not send or bring, or cause to be brought or sent, into this State any child that is incorrigible or one that is of unsound mind or body: *Provided,* That nothing herein contained shall be construed to mean that blindness in itself shall act as any barrier to the importation of such children, subject to all other consistent provisions of this act; that such licensed person, corporation, association, or institution will at once, upon the placement of any child, report to the commissioner its name and age, and the name and residence of the person with whom it is placed; that if any such child shall, before it reaches the age of 21 years, become a public charge such licensed person, corporation, association, or institution will, within 30 days after written notice shall have been given of such fact by the commissioner [of institutions and agencies], remove such child from the State; and if any such dependent child shall be convicted of crime or misdemeanor and imprisoned within three years from the time of its arrival within the State, such licensed person, corporation, association or institution will remove from the State such child immediately upon its being released from such imprisonment, and upon failure, after 30 days' notice and demand to remove as aforesaid, any such child who shall become a public charge as aforesaid, or who shall be convicted as aforementioned, in either event such licensed person, corporation, association or institution shall at once and thereby forfeit such sum as the State, or any county or municipality thereof, shall have expended in the care, maintenance or prosecution of such child; that such licensed person, corporation, association or institution will place or cause to be placed each of such dependent children under written contract, which will secure to such child a proper home, and will make the person so receiving such child responsible for its proper care, education and training; that such licensed person, corporation, association or institution will properly supervise the care and training of each of such children, and that each of such children shall be visited at least once a year by a responsible agent of the person, corporation, association or institution so placing or causing to be placed, such child as herein provided; that such licensed person, corporation, association or institution will make to said commissioner [of institutions and agencies] such reports of their work as said commissioner from time to time may require. [Ibid., sec. 647 as amended by Laws 1922, ch. 95.]

*Penalty for violation.*—Any person, corporation, association or institution, or any officer or agent thereof herein described, who shall violate any of the provisions of sections six hundred and forty-six and six hundred and forty-seven of this act, shall



be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$100. [Ibid., sec. 648.]

*Not applicable to relative bringing child into State.*—The provisions of this act shall not apply to a relative going to any other State and bringing a child into this State for the purpose of giving it a home in his or any other family, with the consent of the commissioner [of institutions and agencies]. [Ibid., sec. 649.]

*Recovery of penalty.*—The penalty provided in the bond referred to in section 647 of this act shall be recovered in any court of competent jurisdiction in the name of the State of New Jersey; such bonds shall remain in force, and actions may be brought thereon, during any time within which there may be, within this State, any child under the age of 21 years who shall have been brought into this State by the principal obligor of said bond. [Ibid., sec. 650.]

## NEW YORK.

*Children imported from other States; license required; evidence required that applicant for license is licensed or otherwise approved by his own State; blanket bond, amount and conditions.*—It shall be unlawful for any person, agency, association, corporation, society, institution, or other organization, except an authorized agency, to bring, send, or cause to be brought or sent into the State of New York any child for the purpose of placing or boarding such child or procuring the placing of such child, by adoption, guardianship, or otherwise, in a family, a home or institution, except with an authorized agency, in this State, without first obtaining a license from the board [State board of charities]. Application for a license shall be submitted on a form approved and provided by such board and be accompanied by proof that the applicant holds a license, or is approved by the State board of charities or similar body in the State where the applicant resides, or where its chief office is located, or where it has its place of business. Before bringing, sending, or causing to be brought or sent into this State any child, the person, agency, association, corporation, society, institution, or other organization, duly licensed as provided in this section, must furnish to the board a blanket indemnity bond of a reputable surety company in favor of the State of New York in the penal sum of not less than one thousand dollars. Such bond must be approved as to form and sufficiency by the board and conditioned as follows: That such licensee (1) will report to the board immediately the name of each such child, its age, the name of the State, and city, town, borough, or village, or the name of the country from which such child came, the religious faith of the parents and of the child, the full name and last residence of its parent or parents, the name of the custodian from whom it is taken, and the name and residence of the person or authorized agency with whom it is placed or boarded, released, or surrendered, or to whom adoption or guardianship is granted, and the death of such child or any reboarding, replacement, or other disposition; (2) will remove from the State within 30 days after written notice is given any such child becoming a public charge during his minority; (3) will remove from the State immediately upon its release any such child who within 3 years from the time of its arrival within the State is committed to an institution or prison as a result of conviction for juvenile delinquency or crime; (4) will place or cause to be placed or board or cause to be boarded such child under agreement which will secure to such child a proper home, and will make the person so receiving such child responsible for its proper care, education, and training; (5) will comply with the provisions of section 302 of this article; (6) will supervise the care and training of such child, and cause it to be visited at least annually by a responsible agent of the licensee; and (7) will make to the board such reports as the board from time to time may require. In the event of the failure of such licensee to comply with the second and third conditions of the bond hereinbefore mentioned, and to remove after 30 days' notice so to do, a child becoming a public charge, such portion of the bond shall be forfeited to the State or the county or municipality thereof as shall equal the sum which shall have been expended by the State or such county or municipality thereof for the care or maintenance or in the prosecution of such child or for its return to the licensee. [State Charities Law, sec. 306, added by Laws 1923, ch. 706, and amended by Laws 1924, ch. 437.]

## NORTH DAKOTA.

*Bringing or sending child into State for purpose of placing; license required; blanket bond, amount and conditions; exemptions.*—Any person, partnership, voluntary association, or corporation, which undertakes to bring or send children from any State into this State for placement in family homes, shall first procure a license from the board of administration and file with that board a bond to the State in the sum of \$1,000,



to be approved by the Attorney General, conditioned that no child will be brought into the State who is incorrigible, unsound of mind or body, or likely to become a public charge; that any child so brought in will be promptly removed upon notice from the board; that upon the placing of children brought into the State in family homes a report will be made to the board; and that all the provisions of the statutes relating to the placement of children will be complied with: *Provided, however*, That this section shall not apply to a resident of the State who personally brings a child into the State for permanent care or adoption into his own family, except that in such case he shall report to the board his own name and address, the name of the child, and the name and address of the person, organization, or institution from which the child was received. [Laws 1923, ch. 159, sec. 1.]

*Taking child out of State for purpose of placing; consent of State board required; exemptions.*—No person, partnership, voluntary association, or corporation, shall take or send any child out of the State for placement in a family home in another State without first securing the consent of the board of administration so to do, and without first reporting to that board the name and address of any child so taken or sent and the name and address of the family which is to receive the child, together with such information concerning the family and the child as the board may require: *Provided, however*, That this section shall not apply to a parent who personally removes his child from the State. [Ibid., sec. 2.]

*Violations; penalty.*—Any person who violates any of the provisions of this act shall be guilty of a misdemeanor. [Ibid., sec. 3.]

*Laws repealed.*—Sections 5107 and 5108 of the Compiled Laws for 1913, and all acts or parts of acts, inconsistent herewith, are hereby repealed. [Ibid., sec. 4.]

## OHIO.

*Association of another State placing child within this State; guaranty required.*—No association of another State, incorporated or otherwise, shall place a child in a family home within the boundaries of this State, either with or without indenture or for adoption, unless such association shall have furnished the board of State charities [department of public welfare]<sup>3</sup> with such guaranty as it may require that no child having a contagious disease, deformity, feeble mind or vicious character, shall be brought into this State by such association or its agents, and that such association will promptly receive and remove from the State a child brought into the State by its agents which shall become a public charge, within the period of five years thereafter. [General Code 1920 (Page's Edition), sec. 1677.]

*Violation; penalty.*—Whoever violates any of the provisions of section 1677 shall be imprisoned in the county jail not more than 30 days, or fined not less than \$5 or more than \$100, or both, in the discretion of the judge. [Ibid., sec. 1678.]

## OREGON.

*Nonresident or foreign corporation placing child within this State; guaranty required; violation; penalty.*—No person or agent or agency or institution, of another State shall place a child in a family home in this State without first having furnished the child-welfare commission such guaranty as the commission may require, against disease, deformity, feeble-mindedness and delinquency, and against the child becoming a public charge within five years from the date of such placement. Any person or organization violating this provision shall be guilty of a misdemeanor and shall be punishable by a fine not exceeding \$100 for each offense. [Oregon Laws 1920 (Olson's), sec. 9835.]

## PENNSYLVANIA.

*Department of Welfare to enforce law regarding bringing dependent, delinquent, or defective children into the State.*—The Department of Welfare shall have the power, and its duty shall be:

(a) To investigate the residence of a child placed in Pennsylvania from unlicensed sources in another State, to return such child to the State of its legal residence, and to enter into appropriate contracts with such State relative thereto;

(b) To exercise any other powers and perform any other duties with regard to the bringing into this Commonwealth dependent, delinquent, or defective children, which may now or hereafter be authorized or imposed by law upon the department;

<sup>3</sup> The department of public welfare, created by act of Apr. 26, 1921, supersedes the former board of State charities.

(c) To make and enforce such rules and regulations for the effective enforcement of this section as shall be deemed advisable and appropriate. [Laws 1923, No. 274, sec. 2010.]

*Bringing dependent, delinquent, or defective child into Commonwealth for purpose of placing; consent required; conformance with rules and regulations for State enforcing agency.*—It shall be unlawful for any person, corporation, association, or institution to bring or send, or cause to be brought or sent, into the State of Pennsylvania, any dependent or delinquent or defective child, for the purpose of placing such child in any home in Pennsylvania, or procuring the placing of such child in any home in Pennsylvania by indenture, adoption, or otherwise, or to abandon such child after being brought or sent into the State of Pennsylvania, without first obtaining the written consent of the Board of Public Charities of Pennsylvania [department of welfare] and conforming to this act and to such rules and regulations of such board consistent herewith as such board may from time to time prescribe. Authority is hereby given to such board to make such rules and regulations as it shall deem best to carry out the provisions of this act. [Pennsylvania Statutes 1920, sec. 13476.]

*Blanket bond, amount and conditions.*—Such person, corporation, association, or institution, before bringing or sending or causing to be brought or sent, any such child into this State, shall first give an indemnity bond in favor of the State of Pennsylvania, in the penal sum of \$1,000, to be approved by said board of public charities [department of welfare], conditioned as follows: That they will not send or bring, or cause to be brought or sent, into this State any child that is incorrigible or one that is of unsound mind or body; that they will at once, upon the placement of such child, report to the board of public charities [department of welfare] its name and age, and the name and residence of the person with whom it is placed; that, if any such child shall, before it reaches the age of 21 years, become a public charge, they will, within 30 days after written notice shall have been given them of such fact by the board of public charities [department of welfare], remove such child from the State; and if any such dependent child shall be convicted of crime or misdemeanor and imprisoned within three years from the time of its arrival within the State, such person, corporation, association, or institution will remove from the State such child immediately upon its being released from such imprisonment; and upon failure after 30 days' notice and demand to remove any such child who shall have either become a public charge as aforesaid or who shall have been convicted as aforementioned, in either event, such person, corporation, association, or institution shall at once and thereby forfeit the sum of \$1,000 as a penalty therefor, to be recovered upon such bond by a suit in the name of the State of Pennsylvania; that they will place or cause to be placed each of such dependent children under written contract which will secure to such child a proper home and will make the person so receiving such child responsible for its proper care, education, and training; that they will properly supervise the care and training of each of such children and that each of such children shall be visited, at least twice a year, by a responsible agent of the person, corporation, association, or institution so placing or causing to be placed such child as herein provided; that they will make to the said board of public charities [department of welfare] such reports of their work as said board [department] from time to time may require. [Ibid., sec. 13477.]

*Authority of State enforcing agency to make rules and regulations.*—The board of public charities [department of welfare] shall have general supervision and management of all matters contained in this act; and may make such other and further rules and regulations, not inconsistent herewith, as it may deem necessary for the proper placing out, indenture, adoption, removal, and supervision of such children, and for the rejection of incorrigible or unsound children, and for the removal of children convicted of crimes or misdemeanors, or who may become public charges. [Ibid., sec. 13478.]

*Penalty for violation of act.*—Any person, corporation, association, or institution, or any officer or agent thereof, herein described, who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding \$100. [Ibid., sec. 13479.]

*Relatives exempt; other exemptions.*—That the provisions of this act shall not apply to a relative going to any other State and bringing a child into this State for the purpose of giving it a home in his own family, nor to the placing of a child in any institution in this State: *Provided*, That it is not removed therefrom and placed out in this State, except in accordance with the provisions of this act. [Ibid., sec. 13480.]



## SOUTH CAROLINA.

*Bringing or sending child from another State, Territory, or country into this State for the purpose of placing; notification of State enforcing agency; certificate as to suitability of proposed home; annual reports.*—That no person, agency, or institution shall bring or send into this State, from another State, Territory, or country, any child and leaving it, place it in a foster home or procure its adoption without the person so bringing or sending the child shall first notify the Child-Placing Bureau of the State Board of Public Welfare of their intention so to do, and shall before bringing said child into this State obtain from the bureau a certificate stating that such home is in the opinion of the bureau, a suitable home for the child; and such certification shall state the name, age, and personal description of the child, and the name and address of the person with whom the child is to be placed, and shall furnish satisfactory evidence that said child is not incorrigible or of unsound mind or body, and such other information as may be required by the bureau, and that they will remove any such child who becomes a public charge or who in the opinion of the bureau becomes a menace to the community prior to its adoption, or of legal age. The person bringing or sending the child into the State shall report at least once each year, and such other times as the bureau shall direct, as to the location and well-being of the child so long as it shall remain in the State and until it shall have reached the age of 18 years or shall have been legally adopted. [Laws 1924, No. 728, sec. 5.]

*Violations; penalties.*—Any person who shall violate any of the provisions of this act, or who shall make any false statements or reports to the Child-Placing Bureau with reference to the matters contained herein and any parent or guardian, or person receiving a child who shall give a false name or address to the Child-Placing Bureau shall, upon conviction, be guilty of a misdemeanor. [Ibid., sec. 8.]

*Relatives exempted from provisions of act.*—That the provisions of this act shall not apply to persons related by blood or marriage to such children within the sixth degree. [Ibid., sec. 8½.]

## SOUTH DAKOTA.

*Association of another State placing child within this State; bond filed with treasurer of county in which child is placed; signature of at least one freeholder of State required; also approval of county commissioners; relatives exempt; other exemptions; violations; penalty.*—No association or society, incorporated or doing business under the laws of any other State for the purpose of caring for orphan or dependent children, shall bring or send any child or children into this State for the purpose of being placed in a family home by adoption, or otherwise without first having filed a bond in favor of this State in the penal sum of \$500 with the treasurer of the county where such child is to be placed, conditioned that such child has no contagious, infectious, or incurable disease or has no deformity or is not of feeble mind or of vicious character, and that such association or society will promptly receive and remove from this State such child if it shall become a public charge within the period of five years after being brought into the State: *Provided*, That this act shall not be construed so as to prohibit any person residing in this State from receiving and adopting into his family any child or children of relatives from another State. Said bond shall be furnished for each child and must be signed by at least one resident freeholder of this State and must be approved by the board of county commissioners of the county in which such child is placed or to be placed. Any person in this State who may hereafter have in his care and custody any child who shall have been brought into this State without such bond having been filed, shall forthwith notify the board of charities and corrections of such fact and give the name of such child, its age, date of arrival and from whom it was received. Such board upon receipt of such notice shall transmit such information to the county court of the county in which such child is placed or is found, and it shall be the duty of such court to make such investigation from time to time and take such action as may be necessary under the provisions of this article for the protection and benefit of such child and the people of this State, and such court may require the person in whose custody such child may be to appear before the court from time to time and make such report touching the condition of such child, its hours of labor, and such other information as the court may desire regarding such child: *Provided*, That upon the legal adoption of any such child by such person no further reports shall be required. Any person violating any of the provisions of this section or any person who shall receive, to be placed in a home, or shall place in a home, any child in behalf of any association or society incorporated or doing business in another State which shall not have complied with the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof punished by imprisonment in the county jail not exceeding 30 days or by a fine of not less than \$5 nor more than \$100, or by both such fine and imprisonment. [Revised Code 1919, sec. 9992.]

## TENNESSEE.

*Nonresident corporation placing child within this State; guaranty required; violations; penalty.*—No agency or institution of another State shall place a child in a family home in this State without first having furnished to the Board of State Charities [department of institutions<sup>4</sup>] such guarantee as the board may require, against disease, leprosy, feeble-mindedness, or delinquency, and against the child becoming a public charge within five years of the date of such placement. Violations of this restriction shall be punishable by a fine not exceeding \$100 for each offense. [Baldwin's Cumulative Code, Supplement of 1920, secs. 4436a-65a-19 (Laws 1917, ch. 120, sec. 6, subsec. 5).]

## UTAH.

*Business of child-placing defined; license required.*—No person, firm, corporation, or association shall engage in the business of receiving children for placement or adoption or of placing children either temporarily or permanently in homes, or hold itself out as being prepared to receive children for either of said purposes, or solicit money for either of such purposes without having in full force a written license from the State board of health authorizing the carrying on of such business. Whoever within a period of 6 months receives for placing or actually places or assists in placing for adoption or otherwise more than two children shall be deemed to be engaged in the business of receiving or placing children within the meaning of this act. [Laws 1923, ch. 59, sec. 1.]

*Records required.*—Every agency licensed as herein provided to receive, secure homes for, or otherwise care for children, shall keep a record containing names, ages, and former residences of all children received, a statement of the physical and mental condition of such children by a competent physician; the names, former residences, occupations, and character so far as known of the parents; the dates of reception, placing out, and adoption, together with the name, occupation, and residence of the person with whom the child is placed; the date and cause of any removal to any other home; the date and cause of termination of guardianship and a brief history of each child until he shall have reached the age of 18 years or shall have been legally adopted or discharged according to law. [Ibid., sec. 2.]

*Child from another State to be placed only by licensed agency; exemptions.*—Every child brought into or sent into the State for placement or adoption in the State, shall be sent to and placed by an agency licensed under the provisions of this act: *Provided, however,* That nothing herein shall be deemed to prohibit a resident of this State from bringing or causing to be brought into the State a child for adoption into his own family. [Ibid., sec. 3.]

*State board of health to issue license.*—It shall be the duty of the State board of health to pass annually on the fitness of every agency which receives or accepts children for placement or adoption or places children in private homes. Annually at such time as the board shall direct every such agency shall make a report to the State board of health showing its condition, management, and competency to care adequately for such children as are, or may be committed thereto or received thereby; the system of visitation employed for children placed in private homes and such other facts as the board may require. When the board is satisfied that such agency is competent and has adequate facilities to care for such children, and that the requirements of the statutes covering the management of such agencies are being complied with it shall issue to the same a license to that effect which shall continue in force for one year unless sooner revoked by the board. [Ibid., sec. 4.]

*Violations; penalty.*—Every person, firm, or corporation violating any of the provisions of this act or who shall intentionally make any false statement or reports to the State board of health with reference to the matters contained herein shall be guilty of a misdemeanor. [Ibid., sec. 5.]

## VERMONT.

*Bringing dependent child into State; approval of State board, certificate therefor, and guaranty required.*—A dependent child shall not be received into a home or institution within this State, without first obtaining the approval of the board of charities and probation [department of public welfare<sup>5</sup>] and a certificate therefor in accordance

<sup>4</sup> The department of institutions succeeds to all rights, powers, and duties vested by law in the former board of State charities. [Laws 1923, No. 7, sec. 42.]

<sup>5</sup> The department of public welfare succeeds to all rights, powers, and duties vested by law in the former board of charities and probation. [Laws 1923, ch. 7, sec. 30.]



with the provisions of this act. The board may issue such a certificate under such regulations as it may prescribe, providing the person to whom it is issued gives to the board a sufficient guaranty, by furnishing a bond or otherwise, that such child has not a contagious or incurable disease, is not feeble-minded and will not become a public charge. [Laws 1919, No. 208, sec. 1.]

*Violation; penalty.*—A person who violates a provision of this act shall be fined not more than \$500. [Ibid., sec. 4.]

### VIRGINIA.

*Agency bringing child into State for purpose of placing; consent required; conformance with rules of State board; guaranty; notification before placing; certificate required as to suitability of proposed home; reports.*—No agency shall bring or send into the State any child for the purpose of placing him out or procuring his adoption, without first obtaining the consent of the State board of public welfare. Such agency shall conform to the rules of the board, and shall enter into a written agreement with the board to remove such child from the State when requested so to do by the said board, prior to the child's adoption or becoming of age; that it will place the child under written contract approved by the board; that the person with whom the child is placed shall be responsible for his proper care and training; that the board shall have the same right of visitation and supervision of the child and the home in which it is placed as in the case of a child placed out by the board. Before the child shall be brought or sent into the State for the purpose of placing him in a home, the agency so bringing or sending such child shall first notify the State board of its intention and shall obtain from the State board a certificate stating that such home is in the opinion of the said board a suitable home for the child. The agency bringing or sending the child into the State shall report once a year, or when the child is placed in another home, or at such other times as the board may direct, as to the location and well-being of the child so long as he shall remain within the State and until he shall have reached the age of 18 years or shall have been legally adopted. [Laws 1922, ch. 103, sec. 7.]

*Taking child out of State for purpose of placing; notification of State board; conditions of placing; reports.*—No child shall be taken or sent out of the State for the purpose of placing him in a home, otherwise than by a parent or guardian, unless the agency so taking or sending him shall give the State board of public welfare notice of its intention and furnish such information as the board may require. Such agency shall place the child under written contract approved by the board that the person with whom the child is placed shall be responsible for his proper care and training, and thereafter shall report to the board once a year and at such other times as the board may direct, as to the location and well-being of such child until he shall have reached the age of 18 years or shall have been legally adopted. [Ibid., sec. 8.]

*Violations; penalty.*—Every person, acting for himself or for an agency, and every officer, agent, or employee of the State board of public welfare, who violates any of the provisions of this act, or who shall intentionally make any false statements to the State board of public welfare shall upon conviction thereof be punished by a fine of not more than \$100, or by imprisonment for not more than one year, or by both such fine and imprisonment. [Ibid., sec. 10.]

### WEST VIRGINIA.

*Association of another State placing dependent child in this State; guaranty required; penalty for receiving or placing child on behalf of association not complying with act.*—No association, incorporated or unincorporated, existing under the laws of any other State shall place any child in any family home within this State, either with or without indenture or for adoption, unless the said association shall have furnished the State board of children's guardians with such guaranty as it may require that no child shall be brought into the State by such society or its agents, having any contagious or incurable disease, or having any deformity, or being of feeble mind, or of vicious character, and that said association shall promptly receive and remove from the State any child brought into the State by its agent, which shall become a public charge within the period of five years after being brought into this State. Any person who shall receive to be placed in a home, or shall place in a home any child in behalf of any such association of any other State, which shall not have complied with the requirements of this act shall be guilty of a misdemeanor, and upon conviction thereof be imprisoned in the county jail not more than 30 days, or fined not less than \$5 nor more than \$100, or both, in the discretion of the court. [Laws 1921, ch. 134, sec. 14.]



## WYOMING.

*Agency or institution of another State placing child within this State; guaranty required; penalty for violation.*—No agencies or institutions of another State shall place a child in a family home in this State without first having furnished to the State board of charities and reform such guaranties as the board may require against disease, deformity, feeble-mindedness, or delinquency, and against the child becoming a public charge. Violations of this restriction may be punished by a fine not exceeding \$100 for each offense. [Compiled Statutes 1920, sec. 3903, subdiv. 5.]



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## LIST OF REFERENCES, BY STATES.

- Alabama..... Session Laws 1923, No. 543, secs. 6, 7, 10.  
 Delaware..... Session Laws 1921, ch. 50, adding secs. 1005D-1005J to the Revised Code.  
 Georgia..... Laws 1922, No. 521, secs. 9, 11.  
 Illinois..... Smith's Illinois Revised Statutes 1921, ch. 23, sec. 210.  
 Indiana..... Burns' Annotated Statutes 1914, secs. 3670-3674.  
 Iowa..... Code, Supplement of 1913, sec. 3260-L.  
 Kansas..... Revised Statutes 1923, sec. 38-315.  
 Kentucky..... Carroll's Kentucky Statutes 1922, secs. 331c-1 to 331c-4.  
 Maryland..... Annotated Code 1911, vol. 2, art. 88A, secs. 12-14.  
 Michigan..... Compiled Laws 1915, secs. 2001-2008, 2010, 7231.  
 Minnesota..... Session Laws 1919 (extra session), ch. 51, secs. 5, 6, 9.  
 Missouri..... Revised Statutes 1919, secs. 1104, 1105.  
 Nebraska..... Compiled Statutes 1922, secs. 8268, 8271.  
 Nevada..... Revised Laws 1912, sec. 747.  
 New Jersey..... Session Laws 1918, ch. 147, secs. 646, 647 as amended by Laws 1922, ch. 95; secs. 648-650.  
 New York..... State Charities Law, sec. 306, added by Laws 1923, ch. 703, and amended by Laws 1924, ch. 437.  
 North Dakota..... Laws 1923, ch. 159, repealing Compiled Laws 1913, secs. 5107-5108.  
 Ohio..... General Code 1920 (Page's edition), secs. 1677, 1678.  
 Oregon..... Oregon Laws 1920 (Olson's), sec. 9835.  
 Pennsylvania..... Pennsylvania Statutes 1920, secs. 13476-13480; Session Laws 1923, No. 274, sec. 2010.  
 South Carolina..... Laws 1924, No. 728, secs. 5, 8, 8½.  
 South Dakota..... Revised Code 1919, sec. 9992.  
 Tennessee..... Baldwin's Cumulative Code, Supplement of 1920, sec. 4436a-65a-19 (1917, ch. 120, sec. 6, subsec. 5).  
 Utah..... Session Laws 1923, ch. 59.  
 Vermont..... Session Laws 1919, No. 208, secs. 1, 4.  
 Virginia..... Session Laws 1922, ch. 103, secs. 7, 8, 10.  
 West Virginia..... Session Laws 1921, ch. 134, sec. 14.  
 Wyoming..... Compiled Statutes 1920, sec. 3903, subdiv. 5.









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